

ಮಂತ್ರಿಗಳು ಸಭೆಯಲ್ಲಿ ಉತ್ತರ ಕೊಡುವಾಗ ಎನ್. ಆರ್. ಡಬ್ಲ್ಯು. ಸ್ವೀಂಸಲ್ಲಿ ಆದ ಕೆಲಸ ಎಲ್ಲೆಲ್ಲಿ ಕೆಟ್ಟು ಹೋಗಿದೆ ಅಲ್ಲಿಲ್ಲಾ ಅವುಗಳನ್ನು ರಿಪೇರಿ ಮಾಡಿಸುವುದಕ್ಕೆ ಸರ್ಕಾರ ಆದೇಶ ಕೊಡುತ್ತದೆಂದು ಹೇಳಿದರು. ಕಳೆದ ಸಾರಿ ಪೋಟ್ ಆನ್ ಆಕೌಂಟ್ ಮೇಲೆ ಉತ್ತರ ಕೊಡುವಾಗ ತಾಂತ್ರಿಕವಾಗಿ ಕೆಟ್ಟು ಹೋಗಿರುವ ಕಡೆಗಳಲ್ಲಿ ರಿಪೇರಿ ಮಾಡಿಸಿ ಪರ್ಸೆಂಟ್ ರೆವಿನ್ಯೂನಲ್ಲಿ ಡಿಡ್‌ಕ್ಯು ಮಾಡಿಸಿ ಅಡ್ಡ ಸ್ವಾಮ್ಯವೆಂಟ್ ಮಾಡಿಸುವುದಕ್ಕೆ ಸೂಚನೆ ಕೊಡುತ್ತೇನೆಂದು ಹೇಳಿದ್ದರಿ. ಕೆಲವು ಸ್ವೀಂಗಳ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಕ್ಕೆ ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೆ. ನಾನು ಅಗಲೇ ಬಂದಿರಲಿಲ್ಲ. ನನ್ನದು ತಪ್ಪಿದೆ, ನಾನು ಬರುವುದು ಐದು ನಿಮಿಷ ತಡವಾಯಿತು. ಆದ್ದರಿಂದ ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳು ಈಗಲಾದರೂ ನಿರ್ದೇಶನ ಕೊಟ್ಟು ಕೆಟ್ಟು ಹೋಗಿರುವುದನ್ನು ಸರಿಮಾಡಿಸುತ್ತೇವೆ ಎಂದು ಹೇಳಿದರೆ ಸಾಕು.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಆರಸ್.—ಎಲ್ಲೆಲ್ಲಿ ಎಂಬುದನ್ನು ಹೇಳಿ.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ನಾನು ನೋಟೀಸ್‌ನಲ್ಲಿ ಹೆಸರುಗಳನ್ನು ಹೇಳಿದ್ದೇನೆ. ಹಾಸನ ಜಿಲ್ಲೆ ಹರಡನಹಳ್ಳಿ ಮುಂತಾದ ಕಡೆಗಳಲ್ಲಿ ಸ್ವೀಂ ಇನಾಗುರೇಟ್ ಮಾಡಿದ ಮಾರನೇ ದಿವಸವೇ ಕೆಟ್ಟು ಹೋಗಿದೆ. ತಾಂತ್ರಿಕ ದೋಷದಿಂದ ಕುಡಿಯುವ ನೀರಿನ ಯೋಜನೆ ಕಾರ್ಯಗತವಾಗಿಲ್ಲ. ತಕ್ಷಣ ಇದನ್ನು ರಿಪೇರಿ ಮಾಡಿಸಿ ಸರಿಮಾಡಿಸುವಂತೆ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ್ ಅವರಿಗೆ ನಿರ್ದೇಶನ ಕೊಡಿ ಎಂದು ಕೇಳಿ ಕೊಳ್ಳುತ್ತೇನೆ.

11-00 A. M.

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ತಾವು ಹೇಳುವ ಬಗ್ಗೆ ಡೈರೆಕ್ಷನ್ ಕೊಟ್ಟು ಮಾಡಿಸಿಕೊಡುತ್ತೇನೆ. ಈಗ ಅಲ್ಲಿ ರಿಪೇರಿಯಾಗಬೇಕಾಗಿರುವುದು ಯಾವುದು ಇಲ್ಲ. ಫಾರ್ ಪಾಂಟ್ ಆಫ್ ಎಲೆಕ್ಟ್ರಿಸಿಟಿ ಬಾರ್ಜ್ ಇರಬೇಕು.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಎಲೆಕ್ಟ್ರಿಸಿಟಿ ಬಾರ್ಜ್‌ಸ್‌ನಿಂದ ಅಲ್ಲ, ಸ್ವೀಮುಗಳು ಇನಾ ಗುರೇಟ್ ಮಾಡಿದ ಮೂರುನಾಲ್ಕು ದಿವಸಗಳಿಗೆ ಕೆಟ್ಟು ಹೋಗಿವೆ. ಅದರಲ್ಲಿ ಒಂದು ಸ್ವೀಮು ಮಾತ್ರ ಎರಡು ದಿವಸದಲ್ಲಿ ಕೆಟ್ಟು ಹೋಯಿತು. ಇನ್ನುಳಿದ ನಾಲ್ಕು ಸ್ವೀಮುಗಳು, ಇನಾಗುರೇಟ್ ಮಾಡಿ ಸ್ವೀಟ್ ಆನ್ ಮಾಡಿದ ಮಾರನೆಯ ದಿವಸವೇ ಕೆಟ್ಟು ಹೋಗಿವೆ. ಇದರ ಬಗ್ಗೆ ನಾನು ಚರ್ಚೆ ಮಾಡಲಿಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. ಅಲ್ಲಿ ಟೆಕ್ನಿಕಲ್ ಡಿಫಿಕಲ್ಟೀಸ್ ಇದೆ, ಬೇರೆ ಹೊರಗಡೆಯಿಂದ ಮೆಷಿನ್ ತರಿಸಿ ಸರಿಪಡಿಸಬೇಕು ಎಂದು ಹೇಳುತ್ತಾರೆ, ತಮಗೆ ತಪ್ಪು ವರದಿ ಕಳುಹಿಸಿರಬೇಕು, ನಾನು ಆ ಸ್ಥಳಗಳಲ್ಲಿ ಖುದ್ದು ಹೋಗಿ ನೋಡಿದ್ದೇನೆ. ಅಲ್ಲಿ ಪಂಚಾಯತಿಯವರು ಎಷ್ಟು ಪರಸೆಂಟ್ ಹಣ ಕೊಡಬೇಕು ಅದನ್ನು ಕೊಡುತ್ತಾರೆ, ಉಳಿದ ಹಣವನ್ನು ಸರ್ಕಾರದವರು ಕೊಟ್ಟು ಸರಿಪಡಿಸಬೇಕು. ಇದರ ಬಗ್ಗೆ ಕೂಡಲೇ ಡೈರೆಕ್ಷನ್ ಕೊಡಬೇಕು ಎಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

SR D. DEVARAJ URS (Chief Minister).—Now that the hon. Member has drawn attention of the Government to these five schemes, orders will be issued immediately to rectify whatever may be the defect. I agree I had promised last time. Subsequently the cost incurred should be recovered from the grant that is to be given to the panchayats.

Notice of an adjournment motion

re : Withdrawal of consent of the State Government given under the Delhi Police Establishment Act. of 1946 to the Central Government.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ (ಹುಬ್ಬಳ್ಳಿ).—ಅಧ್ಯಕ್ಷರೇ, ರೂಲ್ ನಂ. 310-310ರ ಕೆಳಗೆ ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೇನೆ. ನನ್ನ ಜೊತೆಗೆ ಮಾನ್ಯ ಸಭೆಯ ಅನೇಕ ಸದಸ್ಯರು ಅದಕ್ಕೆ ಸಹಿ ಹಾಕಿದ್ದಾರೆ.....

ಅಧ್ಯಕ್ಷರು.—ಈಗ ೩೦ ಜನರು ಸಹಿ ಹಾಕಿರಬಹುದು, ಎಲ್ಲರೂ ಮಾತನಾಡುವುದಕ್ಕೆ ಹೋದರೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಪ್ರತಿಯೊಬ್ಬರು ಒಂದು ನಿಮಿಷ ಎರಡು ನಿಮಿಷ ಮಾತನಾಡುವುದಾದರೆ ಎನೂ ತೊಂದರೆ ಇಲ್ಲ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನಾಲ್ಕೈದು ಜನ ಪ್ರಮುಖರು ಮಾತನಾಡಬಹುದು ನಾನು ಕೆಲವು ವಿಚಾರಗಳನ್ನು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಇನ್ನೂ ಹಿರಿಯ ಸದಸ್ಯರು ಮಾತನಾಡಬಹುದು.

ಅಧ್ಯಕ್ಷರು.—ಆದರೆ ಇದೇ ವಿಚಾರದಲ್ಲಿ ಹೆಚ್ಚಿಗೆ ವೇಳೆ ಆಗಬಾರದು.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದು ಬಹಳ ಮಹತ್ವವಾದ ವಿಚಾರವಾಗಿರುವುದರಿಂದ, ತಮ್ಮ ಕಮನಕ್ಕೆ ತಂದು ತಮ್ಮ ಅಪ್ಪಣೆ ಪಡೆದುಕೊಳ್ಳಲಿಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಿದ್ದೇನೆ.

Under rule 50 we have given a notice like this:

“That this House do stand adjourned to discuss the following definite matter of urgent public importance of recent occurrence, namely,—

The recent decision of the Karnataka State Government to withdraw their consent given some years back under Section 6 of the Delhi Police Establishment Act of 1946 to investigate and prosecute Sri D. Devaraj Urs and Sri H. C. Srikantaiah who were holding public offices as Chief Minister and Minister of State respectively, with the object of shielding them from the penal consequences of corruption, nepotism, favouritism and abuse of authority and further to shield other persons named above against whom enquiry is pending before the Grover Commission”

†SRI K. H. RANGANATH (Minister for Agriculture and Parliamentary Affairs).—Sir, I rise on a point of order. I have gone through the notice. Strictly speaking, it does not constitute a motion of adjournment under rule 50. Further a notification has been issued withdrawing the consent that was given to the Delhi Police to investigate into matters that fall within the purview of the State Government. That notification has been issued and a communication has been sent to the Government of India. This is an action taken purely under the Constitution. The police comes under the State list. What power the Government has to exercise under the State List is purely within the jurisdiction of the State Government. This is a matter relating to a basic aspect *viz.* Centre-State relationship. In view of these things this matter cannot be taken under rule 50. The notice is also not happily worded. It was not for the purpose mentioned in the notice that consent was given to the Central Government. It was in 1956 or 1957 that the consent was given. Why it was given, how it was given they are different matters. Now

the Government has decided to withdraw that consent. My submission is that it does not attract rule 50 and it cannot be a matter of adjournment. They may, if they so desire, take it up under a different rule. This matter can be raised during the discussion on the Governor's Address. I do not know what they have got in their mind. I therefore request the Chair not to allow the Leader of the Opposition and other members to raise this matter under rule 50.

SRI S. R. BOMMAI.—It is not a point of order as I understand it. Rule 50 is very clear. I need not read it again. The criteria are, whether it is a recent matter, whether it is a definite matter and whether it is a matter of public importance. This is a matter of great importance. I will have to narrate a few points to seek your consent.

SRI K. H. RANGANATH.—My point of order is that it does not attract rule 50. The withdrawal of consent given to the Delhi Police is a matter purely within the jurisdiction of the State Government and we have exercised that right. That is a different aspect. My submission is it does not attract rule 50.

SRI S. R. BOMMAI.—Repeatedly we have been discussing when an adjournment motion is to be sought and how it has to be sought. Firstly by raising a point of order the Hon. Minister said that the police is entirely a State subject. I would like to bring to his notice List I item 80. If you read it you can consider how the matter can be discussed here.

SRI K. H. RANGANATH.—Let him come to the State List and then to the Central list.

SRI S. R. BOMMAI.—In my own way I may be permitted to quote Item 80:

“Extension of the powers and jurisdiction of members of a police force belonging to any State to any area outside that State, but not so as to enable the police of one State to exercise powers and jurisdiction in any area outside that State without the consent of the Government of the State in which such area is situated; extension of the powers and jurisdiction of members of a police force belonging to any State to railway areas outside that State.”

Item 80 read with section 6 of the Delhi Special Police Establishment says:

“Anything contained in section 5 shall enable a member of the Delhi Police Establishment to exercise powers

and jurisdiction in any area of a State not being a Union territory or railway area without the consent of the State Government of that State."

The point is police force which is called the C.B.I. is an establishment of the Delhi Special Police Establishment. If jurisdiction of this police is to be extended to another State outside Delhi the consent of that particular State is necessary. After the reorganisation of States this consent has been given by the Mysore Government and that matter also was disputed in a case—whether the State can give such a consent and when once given to be followed by investigation by C.B.I. It came up before the High Court and the case has been reported in Karnataka Law Journal, 1974. At page 333 it is stated. I will read only the relevant point. The letter written by the Home Department has been quoted profusely. The court came to the conclusion that the consent of the Government has been given and exercise of jurisdiction by the C.B.I. was proper and investigation should be continued. That is the decision. I will leave it at that. So, the important question here is during the President's rule.....

SRI B. SHIVANNA.—The Governor was prejudicial.

SRI MALLUR ANANDA RAO.—The hon. member is passing a remark on the Governor.

SRI S. R. BOMMAI.—I will read rule 50.

"Subject to the provisions of the rules motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker."

The entire State and the country knows that a Commission of Enquiry was appointed, presided over by Justice Grover and also another commission was appointed.

SRI K. H. RANGANATH.—I submit that a notification has been issued and the notification is prospective in operation.

SRI S. R. BOMMAI.—I am not aware of the Notification. Just now I have got it. Even if it is prospective the adjournment motion stands. The Notification is issued on 3rd April. It is of very recent occurrence. ಇದು ಪ್ರಾಸ್ಪೆಕ್ಟಿವ್ ಆಗಿದೆ, ರಿಟ್ರಾಸ್ಪೆಕ್ಟಿವ್ ಆಗಿಲ್ಲ. ಈಗಾಗಲೇ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಮಾಡಲಿಕ್ಕೆ ಭಾರತ ಸರ್ಕಾರದವರು ಆರ್ಟರ್ ಕೊಟ್ಟಿದ್ದಾರೆ. ಗೌರ್ನರ್ ರೂಲ್, ಪ್ರೆಸಿಡೆಂಟ್ ರೂಲ್ ಅಂತ ಎಲ್ಲಿದೆ?

ಈಗಾಗಲೇ ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಆಗತಕ್ಕಂಥಾ ಕೇಸುಗಳಿಗೆ ಇದು ಸಂಬಂಧವಿಲ್ಲ. ಇದು ಅದಕ್ಕೆ ಹತ್ತುವುದಿಲ್ಲ. ಅದು ನಡೆದುಕೊಂಡು ಹೋಗಲಿ, ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಇದು ಪ್ರಾಸ್ಪೆಕ್ಟಿವ್ ಆಗಿದೆ. ಇದನ್ನು ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಮೊದಲು ಇದ್ದ ಕೇಸುಗಳಿಗೆ ಇದು ಹತ್ತುವುದಿಲ್ಲ.

ದಿಲ್ಲ. ನಾನು ಕೊಟ್ಟಿರುವ ನೋಟೀಸಿನ ಕೊನೇ ಪ್ಯಾರಾವನ್ನು ತಾವು ದಯವಿಟ್ಟು ಓದಿ ನೋಡಿ. ಅದರಲ್ಲಿ ಈ ವಿಷಯವನ್ನು ಚರ್ಚೆ ಮಾಡುವ ಅವಶ್ಯಕತೆ ಏನಿದೆ ಎಂಬುದನ್ನು ನಾನು ಹೇಳಿದ್ದೇನೆ. ಅದು ಈ ರೀತಿ ಇದೆ: "Further to shield other persons who were then holding public office along with persons named above on whom enquiry is pending before the Grover Commission." ಎಂದು ಇದೆ. ಈಗ ತಮಗೆ ಗೊತ್ತಿರುವಂತೆ ಔ ಚಾರ್ಜ್‌ಗಳ ಬಗ್ಗೆ ಗ್ರೋವರ್ ಕಮಿಷನ್ ಮುಂದೆ ಎನ್‌ಕ್ವಿರಿ ನಡೆಯುತ್ತಿದೆ. ಈಗ ಆ ಔ ಆಪಾದನೆಗಳ ಪೈಕಿ ಔ ಆಪಾದನೆಗಳ ಬಗ್ಗೆ ಮಾತ್ರ ತೀರ್ಪು ಕೊಟ್ಟಿದೆ. ಇನ್ನೂ ಅನೇಕ ಮಹತ್ವದ ಚಾರ್ಜ್‌ಗಳು ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಮೇಲೆ ಇವೆ. ಅವರ ಜೊತೆಯಲ್ಲಿ ಅನೇಕ ಮಂತ್ರಿಗಳ ಮೇಲೂ ಚಾರ್ಜ್‌ಗಳು ಇವೆ. ಅವುಗಳ ಬಗ್ಗೆ ಏನು ತೀರ್ಮಾನ ಬರುತ್ತದೆಯೋ ಗೊತ್ತಿಲ್ಲ.

ಒಬ್ಬರು ಮಾನ್ಯ ಸದಸ್ಯರು.—ಅದು ಬೇಡ ಎಂದು ಜನತೆ ಪೂರ್ವ ಮಾಡಿದ್ದಾರೆ. ಚುನಾವಣೆಯ ಫಲಿತಾಂಶ ಹೇಳಿದೆ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಕಳ್ಳತನ ಮಾಡಿರುವವರು ಚುನಾವಣೆಯಲ್ಲಿ ನಿಂತು ಗೆದ್ದಿದ್ದರೆ ಕಳ್ಳತನ ಹೋಗುತ್ತದೆಯೇ? ಅವರು ನನ್ನ ಕಡೆಯವರೇ ಇರಲಿ ಬೇರೆಯವರೇ ಇರಲಿ.

(ಅನೇಕ ಜನ ಮಾನ್ಯ ಸದಸ್ಯರು ಎದ್ದು ನಿಂತರು)

(ಗದ್ದಲ)

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಮಾನ್ಯ ಸದಸ್ಯರು ನಿಲುವಳಿ ಸೂಚನೆಯ ಅಂಗೀಕಾರಾರ್ಹತೆಯ ಬಗ್ಗೆ ಮಾತ್ರ ಮಾತನಾಡಬೇಕು.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಈಗ ನೀವು ಚುನಾವಣೆಯಲ್ಲಿ ಗೆದ್ದು ಬಂದಿದ್ದೀರಿ ನಾವು ಒಪ್ಪಿಕೊಂಡಿದ್ದೇವೆ. ಆದರೆ ಈಗ ನಾನು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳನ್ನು ಒಂದು ಪ್ರಶ್ನೆ ಕೇಳುತ್ತೇನೆ. ಇವೊತ್ತು ಸರ್ಕಾರದ ಹಣವನ್ನು ಅಪವ್ಯಯ ಮಾಡಿದ ಬಗ್ಗೆ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ಮೇಲೆ ಒಂದು ಕೇಸು ಹಾಕುತ್ತೀರಿ, ಆ ವ್ಯಕ್ತಿಯು ಚುನಾವಣೆಯಲ್ಲಿ ಗೆದ್ದು ಬರುತ್ತಾನೆ. ಆಗ ಆ ಕೇಸನ್ನು ಕೋರ್ಟಿನಿಂದ ಕಿತ್ತು ಹಾಕುವುದಕ್ಕೆ ಆಗುತ್ತದೆಯೇ?

(ಗದ್ದಲ. ಅನೇಕ ಜನ ಮಾನ್ಯ ಸದಸ್ಯರು ಎದ್ದು ನಿಂತು ಕೂಗಾಡಿದರು)

ಅಧ್ಯಕ್ಷರು.—ರೆಕಾರ್ಡ್ ಮಾಡಬಾರದೆಂದು ನಾನು ಅಪ್ಪಣೆ ಮಾಡಿದ್ದೇನೆ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿರುವ ನೋಟೀಕೇಷನ್ ಅನ್ನು ನಾನು ಓದಿದ್ದೇನೆ. ಅದು ಪೆಂಡಿಂಗ್ ಕೇಸುಗಳಿಗೆ ಅಷ್ಟೇ ಆಗುವುದಿಲ್ಲ. ಅದನ್ನು ನಾನು ಒಪ್ಪಿ ಕೊಳ್ಳುತ್ತೇನೆ. ಇದರ ಬಗ್ಗೆ ಚರ್ಚೆ ಇಲ್ಲ. ಅದು ಪ್ರಾಪ್ಸೆಕ್ಯೂಟ್ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಅದು ರೆಟ್ರಾಸೆಕ್ಯೂಟ್ ಅಲ್ಲ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಅದನ್ನು ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಆದರೆ ೧೯೫೭ನೇ ಇಸವಿಯ ರಾಜ್ಯ ಸರ್ಕಾರದವರು ಕೇಂದ್ರ ಸರ್ಕಾರಕ್ಕೆ ಕೊಟ್ಟಂತಹ ಎಂದು ಒಪ್ಪಂದವನ್ನು ಈಗ ಏತಕ್ಕೆ ಮುಪ್ಪು ತೆಗೆದುಕೊಂಡರು. ೧೯೫೭ನೇ ಇಸವಿಯಲ್ಲಿ ಕೊಟ್ಟಂತಹ ಒಪ್ಪಂದವನ್ನು ೧೯೭೨ನೇ ಇಸವಿಯಲ್ಲಿ ಸರ್ಕಾರ ಅಧಿಕಾರಕ್ಕೆ ಬಂದಾಗ ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳ ಸಂಬಂಧದ ಬಗ್ಗೆ ರಾಜ್ಯಕ್ಕೆ ಹೆಚ್ಚು ಅಧಿಕಾರ ಇರಬೇಕು ಅದನ್ನು ಚಲಾಯಿಸಬೇಕು ಎನ್ನುವ ವಿಚಾರ ಇದ್ದಿದ್ದರೆ ೧೯೭೨ನೇ ಇಸವಿಯಲ್ಲಿ ಇದನ್ನು ಮಾಡಬಹುದಾಗಿತ್ತು.

ಅದನ್ನು ಮಾಡದೇ ನಿನ್ನೆಯ ದಿವಸ ಪ್ರಾರಂಭಿಸಿರುವುದಕ್ಕೆ ಕಾರಣವೇನು? ಅದರ ಒಳಗಿನ ಉದ್ದೇಶವನ್ನು ನಾವು ಮುಖ್ಯವಾಗಿ ಅದರ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡಬೇಕಾಗಿದೆ. ಇದು ಸಾರ್ವಜನಿಕವಾಗಿ ಬಹಳ ಮಹತ್ವದ ವಿಚಾರ. ಈಗ ಗ್ರೋವರ್ ಕಮಿಷನ್ ಮುಂದೆ ಇರತಕ್ಕಂಥ ಆಪಾದನೆಗಳೇನಿವೆ, ಆ ಆಪಾದನೆಗಳಿಂದ ವಿಮುಕ್ತರಾಗಿ ಎಂದು ವೇಳೆ ಬಂದರೆ.....

ಒಬ್ಬ ಸದಸ್ಯರು.—ಪದೇ ಪದೇ ಗ್ರೋವರ್ ಕಮಿಷನ್ ಎಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ, ಅದು ಸರಿ ಯಲ್ಲ.

SRI D. DEVARAJ URS.—I do not agree with the hon. members to disturb the Opposition Leader while speaking. I am here to reply to him.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಒಂದು ವೇಳೆ ಆಪಾದನೆಗಳೆಲ್ಲಾ ಸಾಧುವಾದರೆ ಸರಿ, ಇಲ್ಲವಾದರೆ ಚಾರ್ಜ್ ಶೀಟ್ ಪ್ರಕಾರ ತಪ್ಪಿತಸ್ಥರೆಂದು ಸಾಬೀತಾದರೆ ಶಿಕ್ಷೆಯಾಗಲೇ ಬೇಕಾಗುತ್ತದೆ.

11-30 A.M.

SRI D. DEVARAJ URS.—With all due respects to the Hon. Leader of the Opposition, I may submit that why this matter should be brought under an adjournment motion? I am not going into the merits or the demerits of this case. I request him not to spend the time of the house in going into the details of the case. One could talk on this subject for weeks together. The point at issue is whether this subject could be brought under an adjournment motion or something else. If it is admitted in any form, then the Leader of the Opposition is free to talk whatever he thinks proper and submit to the House.

SRI S. R. BOMMAI.—I am not going into the details of the charges that are before the Grover Commission.

SRI D. DEVARAJ URS.—Is this the way of tackling this problem?

SRI S. R. BOMMAI.—They have issued this notification with a view to cease from the penal consequences. This also involves a very important question of State and Central relation. ಇದು ಸಾರ್ವಜನಿಕವಾಗಿ ಮಹತ್ವವಿದೆ ಎನ್ನುವ ಬಗ್ಗೆ ಮನಗಾಣಿಸಬೇಕಾದರೆ ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಈ ನೋಟಿಫಿಕೇಷನ್ನಿನ ಉದ್ದೇಶವೇನಿದೆ? ಮುಂದೆ ಅಗತ್ಯ ಕಾಯಿದೆಯು ಕ್ರಮಗಳನ್ನು ನಿಲ್ಲಿಸುವುದಕ್ಕೆ ಇದನ್ನು ತೆಗೆದುಕೊಂಡು ಬಂದಿದ್ದೀರಿ ಎನ್ನುವ ಮಾತನ್ನು ಹೇಳುತ್ತಿದ್ದೇನೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.—ಅದನ್ನು ಹೇಳಿದಿರಲ್ಲಾ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದರಲ್ಲಿ ರಾಜ್ಯ ಮತ್ತು ಕೇಂದ್ರದ ಬಾಂಧವ್ಯವೂ ಅಷ್ಟೇ ಮುಖ್ಯವಾಗಿದೆ. ಇವತ್ತು ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳವರು ಭಾಷಣ ಮಾಡಿದ ಪ್ರತಿಯೂ ನಮಗೆ ಸಿಕ್ಕಿದೆ, ಡೆಲಿಯಲ್ಲಿ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಕೊಟ್ಟಿದ್ದೂ ಇದೆ. ಇವತ್ತು ಅನೇಕ ರಾಜ್ಯದ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಜೊತೆಯಲ್ಲಿ ಚರ್ಚೆ ಮಾಡಿ ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಸಂಬಂಧಗಳು ಮತ್ತು ಅಧಿಕಾರಗಳನ್ನಿರಬೇಕು ಎನ್ನುವ ಬಗ್ಗೆ ಚರ್ಚೆ ನಡೆಯುತ್ತಿದೆ. ಅದರಲ್ಲಿ ನಮ್ಮ ಮುಖ್ಯಮಂತ್ರಿಯವರೇ ಮುಂದಾಳತ್ವವನ್ನು ವಹಿಸಿದ್ದಾರೆ. ಅದಕ್ಕೆ ಕಾರಣವೇನೆಂದರೆ ತಮ್ಮ ಮೇಲೆ ಮತ್ತು ತಮ್ಮ ಸಹೋದ್ಯೋಗಿಗಳ ಮೇಲೆ ಇರುವ ಆಪಾದನೆಗಳಿಂದ ತಪ್ಪಿಸಿಕೊಳ್ಳಲು ಮುಂದೆ ಆಗತ್ಯ ಅನಾಹುತ ಅಥವಾ ಶಿಕ್ಷೆಯನ್ನು ತಪ್ಪಿಸಿಕೊಳ್ಳುವುದಕ್ಕಾಗಿ ಈ ನೋಟಿಫಿಕೇಷನ್ ತಂದಿದ್ದಾರೆ. ಅದುವರಿಂದ ಇದರ ಬಗ್ಗೆ ಚರ್ಚೆಯಾಗುವುದು ಬಹಳ ಅವಶ್ಯವಿದೆ. ಇನ್ನೊಂದು ಮಾತು ಇದರಲ್ಲಿ ಹೇಳಬೇಕಾದ್ದು ಏನೆಂದರೆ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿಯೂ ಫೋಲೀಸರು ಇದ್ದಾರೆ. ಅದಾಗ್ಯೂ ಸಿ.ಬಿ.ಐ. ರವರಿಂದಲೇ ಏತಕ್ಕೆ ಎನ್‌ಕ್ವೈರಿ ಆಗಬೇಕು ಎಂದರೆ ಅದಕ್ಕೆ ನಮ್ಮ ರಾಜ್ಯದ ಫೋಲೀಸರಿಂದಲೇ ಎನ್‌ಕ್ವೈರಿ ಆಗಬಹುದಲ್ಲವೆಂದು ಹೇಳಬಹುದು. ಆದರೆ ಯಾವಾಗ ಮಂತ್ರಿಗಳ ವಿರುದ್ಧ ಮತ್ತು ಮುಖ್ಯಮಂತ್ರಿಗಳ ವಿರುದ್ಧ ಆಪಾದನೆಗಳಿದ್ದಾಗ ಸಿ.ಬಿ.ಐ. ಗಳಾಗಲಿ, ರೆಗ್ಯುಲರ್ ಫೋಲೀಸರು ಆಗಲಿ ಇನ್‌ವೆಸ್ಟಿಗೇಟ್ ಮಾಡುವ ಧೈರ್ಯವಿದೆಯೇ? ಸೂಕ್ತ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಿದೆಯೇ? ಸಿ. ಬಿ. ಐ. ನ ಪ್ರಾವೀನ್ ಎತಕ್ಕೆ

ಮಾಡಿದ್ದಾರೆಂದರೆ ಯಾವುದೇ ರಾಜ್ಯದಲ್ಲಿ ಒಬ್ಬ ನಾಗರಿಕನ, ಅನ್ಯಾಯವಾದ ಕೊಲೆಯಾದರೆ, ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಮಂವರ ಮೇಲೆ ಎನ್‌ಕ್ವೈರಿ ನಡೆಸಬೇಕಾದರೆ ಕೇಂದ್ರ ಸರ್ಕಾರದವರಿಗೆ ಅತ್ಯಾವಶ್ಯಕವಾಗಿ ಆ ಒಂದು ಅಧಿಕಾರ ಇರಬೇಕೆಂದು ವ್ಯವಸ್ಥೆ ಮಾಡಲಾಗಿದೆ.

ಶ್ರೀ ಕೆ. ಎಚ್. ರಂಗನಾಥ್.—ರಾಜ್ಯದ ಒಬ್ಬಿಗೆಯ ಮೇಲೆ.....

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇಲ್ಲಿವೆಂದು ಹೇಳುತ್ತಿಲ್ಲ. ೭ ವರ್ಷಗಳಿಂದ ಈ ಕನ್ ಸಂಟೆನ ವಿಚಾರ ಮಾಡುತ್ತಿದ್ದೀರಾ? ಅಷ್ಟು ವರ್ಷಗಳಿಂದ ಇಲ್ಲದ್ದು ಈಗ ನಿಮಗೆ ಕಾನ್ಸೂನಿನ ಅಂಚೆಕೆಯಿಂದ ಮಾಡುತ್ತಿದ್ದೀರಿ. ಅದಕ್ಕಾಗಿ ಚಾರ್ಜಿಯಾಗಬೇಕಾಗಿದೆ. ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ವರು ಚುನಾವಣೆಯಾದುದರಿಂದ ಗ್ರೋವರ್ ಕಮಿಷನ್ ವಿಚಾರ ಮುಗಿಯಿತು ಎನ್ನುವ ವಾದವನ್ನೂ ಹೇಳುತ್ತಿದ್ದಾರೆ. Being elected in an election, crimes will not be converted into a virtue; a crime is a crime; if proved, he must be convicted.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ.—ಜನತೆ ಸಾಬೀತು ಮಾಡಿದ್ದಾರೆಲ್ಲಾ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಗ್ರೋವರ್ ಕಮಿಷನ್ ಮುಂದೆ ಮುಖ್ಯಮಂತ್ರಿಗಳವರು ನಿರಪರಾಧಿಗಳೆಂದು ಸಾಬೀತು ಆದರೆ, ಯಾವ ರೀತಿ ಸೀತೆ ಅಗ್ನಿ ಕುಂಡದಿಂದ ಹೊರಗಡೆ ಬಂದಳೋ ಹಾಗೆ ಜನತೆಯ ಮುಂದೆ ಬರುತ್ತಾರೆ.

ಒಬ್ಬ ಸದಸ್ಯರು.—ಬಂದಿದ್ದಾರೆ,

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇನ್ನೂ ಬಂದಿಲ್ಲ. ಇವತ್ತು ಗ್ರೋವರ್ ಕಮಿಷನ್ ಫೈನಾಲ್ ಆದೆ.

ಶ್ರೀ ಕೆ. ಭಾಸ್ಕರ್ ನಾಯ್ಡು.—ಜನ ಒಟು ಕೊಟ್ಟಿದ್ದಾರೆ, ಅದೇ ಉತ್ತರ.

SRI D. DEVARAJ URS.—The Hon. Leader of the Opposition may confine his remarks to the admissibility of the adjournment motion. After it is admitted, he can discuss it in any manner he likes. He cannot take away the time of the House unnecessarily at the admission stage of the motion.

MR. SPEAKER.—The hon. Leader of the Opposition may argue his case within the purview of the rules.

SRI S. R. BOMMAL.—This involves a very important question of public administration i.e. Now men in power should behave to ensure an honest administration:

MR. SPEAKER.—He may kindly speak on the admissibility of the adjournment motion.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಈಗ ಗ್ರೋವರ್ ಕಮಿಷನ್‌ರವರು ಸಿ.ಬಿ.ಐ. ತನಿಖೆಯಾಗ ಬೇಕೆಂದರೆ ಸರ್ಕಾರದವರು ಒಪ್ಪುವುದಕ್ಕೆ ತಯಾರಾಗಿದೆಯೇ ಎಂದು ಕೇಳುತ್ತಿದ್ದೇನೆ. ಫೇರ್ ಇನ್ ವೆಸ್ಟಿಗೇಷನ್ ನಡೆಸುವುದಕ್ಕೆ ತಾವು ಸಿದ್ಧರಿದ್ದೀರಾ? ಎಂದು ನೇರವಾಗಿ ಕೇಳುತ್ತೇನೆ. ನಿಷ್ಪಕ್ಷಪಾತ ವಾಗಿ, ನ್ಯಾಯವಾಗಿ ಸರಿಯಾದ ಎನ್‌ಕ್ವೈರಿ ಆಗಬೇಕೆಂದಿದ್ದರೆ ತಾವು ಅದಕ್ಕೆ ಒಪ್ಪಿಗೆ ಕೊಡುತ್ತೀರಾ? ತಾವು ಅದರ ಬಗ್ಗೆ ಸ್ಪಷ್ಟವಾದ ತಪ್ಪು ಉತ್ತರವನ್ನು ಕೊಡಬೇಕು. ಅದಕ್ಕೆ ನಾವು ಹೇಳುತ್ತಿರುವುದು ಇದರ ಬಗ್ಗೆ ಚಾರ್ಜಿ ಮಾಡುವುದು ಬಹಳ ಅವಶ್ಯವಿದೆ. ಇನ್ನೊಂದು ಮಾತು ಹೇಳುತ್ತೇನೆ. ಒಂದು ವೇಳೆ ಇಂಥಾ ಚಾರ್ಜಿ ಅಂಚೆಕೆಯಂತೆ ಎನ್‌ಕ್ವೈರಿ ಆದಾಗ ಅದಕ್ಕೆ ರಾಜ್ಯ ಸರ್ಕಾರದವರು ಒಪ್ಪಿಗೆ ಕೊಡ ದಿದ್ದರೆ ಏನಾಗುತ್ತದೆಂದರೆ ಹಿಂದೆ ತಮಿಳುನಾಡಿನಲ್ಲಿ ಕರುಣಾನಿಧಿಯವರನ್ನು ಯಾವ ರೀತಿಯಾಗಿ ಡಿಸ್

ಮಿಸ್ ಮಾಡಿ ಚಾರ್ಚಿಬೀಟ್ ಹಾಕಿದರೋ ಅದೇ ಪರಿಸ್ಥಿತಿ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲೂ ಬರುತ್ತದೆ ಅದು ಸ್ಪಷ್ಟವೆಂದು ಹೇಳಬಯಸುತ್ತೇನೆ. ಅದು ಬರುವುದಕ್ಕೆ ತಾವೇ ಒಂದು ಮಾತಾವರಣವನ್ನು ನಿರ್ಮಾಣ ಮಾಡುತ್ತಿದ್ದೀರಿ,

ಬಬ್ಬ ಸದಸ್ಯರು.—ತಮ್ಮ ಉದ್ದೇಶ ತಿಳಿಯಿತು.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇವತ್ತು ನೋಟೀಫಿಕೇಷನ್ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಏನಾಗುತ್ತದೆ ಎಂದರೆ ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯಗಳ ಸಂಬಂಧದಲ್ಲಿ ವಿರಸ ಉಂಟಾಗುತ್ತದೆ ಎಂಬುದನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜಅರಸ್.—ಎಷ್ಟು ಸಾರಿ ಹೇಳುತ್ತೀರಿ ?

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಸ್ವಲ್ಪ ತಾಳ್ಮೆಯಿಂದ ಕೇಳಿ. ಕೆಲವು ಸ್ಥಾನಗಳಲ್ಲಿ ರಿಪೇರಿಷನ್ ಆಗುತ್ತದೆ, ಹಿಂದೆ ಎ.ಡಿ.ಎಂ.ಕೆ.ಯವರು ಮತ್ತು ಡಿ.ಎಂ.ಕೆ.ಯವರು ನಾವು ದಕ್ಷಿಣ ಭಾರತದವರೇ ಬೇರೆಯಾಗುತ್ತೇವೆ ಎನ್ನುವ ವಾದವನ್ನು ಮಂಡಿಸಿದ್ದರು. ಅವಾಗಲೇ ಕೇಂದ್ರ ಸರ್ಕಾರದವರ ಒಪ್ಪಿಗೆಗೆ ಎಲ್ಲಾ ರಾಜ್ಯಗಳೂ ಸಮ್ಮತ ಸೂಚಿಸಿ, ಅದೇ ರೀತಿ ನಡೆದುಕೊಂಡು ಬಂದಿದೆ. ಆದರೆ ಇವತ್ತಿನ ದಿವಸ ಕನ್ ಸೆಂಟ್ರಿ ವಿತ್ ಡಾ ಮಾಡತಕ್ಕೆ ಅಧಿಕಾರ ಸರ್ಕಾರಕ್ಕೆ ಇದೆಯೋ ಇಲ್ಲವೋ ಎನ್ನುವುದು ಇನ್ನೊಂದು ಪ್ರಶ್ನೆ. ನನ್ನ ದೃಷ್ಟಿಯಲ್ಲಿ ಆ ರೀತಿ ಮಾಡಲು ಬರುವುದಿಲ್ಲ. ಇಲ್ಲಿ ತಾವು ನೋಟೀಫಿಕೇಷನ್ ತಂದಿರತಕ್ಕ ಮೂಲ ಉದ್ದೇಶವೇನೆಂದರೆ ತಮ್ಮ ತಪ್ಪನ್ನು ಮುಚ್ಚಿಕೊಳ್ಳುವುದಕ್ಕೆ ಮಾಡಿದಂಥ ನಿರ್ಣಯವಾಗಿದೆ. ಆದುದರಿಂದ ಇದರ ಬಗ್ಗೆ ಇಲ್ಲಿ ಚರ್ಚೆಯಾಗಬೇಕಾಗಿದೆ, ಇದು ಸಾರ್ವಜನಿಕ ದೃಷ್ಟಿಯಿಂದ ಅತ್ಯಂತ ಮಹತ್ವವುಳ್ಳದ್ದಾಗಿದೆ. ಅದಕ್ಕೆ ತಾವು ಅನುಮತಿ ಕೊಡಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ. ಈಗಾಗಲೇ ಅನೇಕ ಸಲ ನಮ್ಮ ಅನುಭವಕ್ಕೆ ಬಂದಿದೆ. ಏನಂದರೆ, ರಾಜ್ಯದಲ್ಲಿ ಲೆಜಿಸ್ಲೇಚರ್ ಕಮಿಟಿಗಳು ಅಂದರೆ ಪಬ್ಲಿಕ್ ಅಂಡರ್ ಟೇಕಿಂಗ್, ಕಮಿಟಿ, ಪಬ್ಲಿಕ್ ಆಕೌಂಟ್ಸ್, ಕಮಿಟಿ, ಎಸ್.ಸಿ., ಎಸ್.ಟಿ. ಕಮಿಟಿ ಮುಂತಾದ ಕಮಿಟಿಗಳು ಅನೇಕ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಸರ್ಕಾರದ ಅಧಿಕಾರಿಗಳ ಮತ್ತು ಮಂತ್ರಿಗಳಿಂದ ಉದ್ಭವಿಸುವ ವಿಚಾರಗಳಾಗಿದೆ, ಅಧಿಕಾರದ ದುರುಪಯೋಗವಾಗಿದೆ, ಸಿ.ಟಿ.ಐ. ನಿಂದ ಎನ್‌ಕ್ವೈರಿ ಆಗಬೇಕು ಎಂದು ಸಲಹೆಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಇವುಗಳಲ್ಲಿ ಒಂದರ ಮೇಲೆಯೂ ಸರ್ಕಾರ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿಲ್ಲ. ಲೆಜಿಸ್ಲೇಟಿವ್ ಕಮಿಟೀಸ್ ಯುನಾನಿಮಸ್ ಡಿಸಿಷನ್ ಕೊಟ್ಟಿದ್ದರೂ ಕೂಡ ಕ್ರಮ ತೆಗೆದುಕೊಂಡಿಲ್ಲ.

ಅಧ್ಯಕ್ಷರು.—ಆ ವಿಷಯವನ್ನು ಬೇರೆ ಸಂದರ್ಭದಲ್ಲಿ ಹೇಳಿ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಈಗ ಏನು ಹೇಳುತ್ತಿದ್ದೇನೆ ಎಂದರೆ, ಈ ಲೆಜಿಸ್ಲೇಚರ್ ಕಮಿಟಿಗಳು ಎನ್‌ಕ್ವೈರಿ ಮಾಡಿಸಬೇಕು ಎಂದು ವರದಿ ಕೊಟ್ಟಿದ್ದರೂ ಕೂಡ ರಾಜ್ಯ ಸರ್ಕಾರ ಮಾಡುತ್ತಾ ಇಲ್ಲ. ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳುತ್ತಾರೆ...

ಅಧ್ಯಕ್ಷರು.—ಅದು ಅವರಿಗೆ ಸೇರಿದ್ದು, ನೀವೇಕೆ ಹೇಳುತ್ತೀರಿ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ನಮ್ಮಲ್ಲಿ ದಕ್ಷ ಪೋಲೀಸ್ ಪಡೆ ಇದೆ, ಎನ್‌ಕ್ವೈರಿ ಮಾಡುತ್ತೇವೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಪಿ.ಯು.ಸಿ. ಅವರು ೩-೪ ವರ್ಷಗಳ ಹಿಂದೆ ಸ್ಟೇಟ್ ಕೋ-ಆಪರೇಟೀವ್ ಫೆಡರೇಷನ್ 'ಲ್ಲಿ ಆದ ಅನ್ಯಾಯಗಳ ಬಗ್ಗೆ ವರದಿ ಕೊಟ್ಟಿದ್ದರು.

ಬಬ್ಬ ಸದಸ್ಯರು.—ನಾನು ಕ್ರಿಯಾಲೋಪವನ್ನು ಎತ್ತುತ್ತೇನೆ. ಅಧ್ಯಕ್ಷರ ಅನುಮತಿ ಪಡೆದು ಈ ತರಹ ವಿಷಯಗಳನ್ನು ಹೇಳಬೇಕು. ಆದರೆ ಈ ರೀತಿ ಮಧ್ಯ ಮಧ್ಯ ಹೊಸ ವಿಷಯಗಳನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ತರುತ್ತಿದ್ದಾರೆ, ಇದನ್ನು ನಿಲ್ಲಿಸಬೇಕು.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ನಾನು ಸ್ಪಷ್ಟದಲ್ಲಿ ಮುಗಿಸುತ್ತೇನೆ. ಪಿ.ಯು.ಸಿ.ಯವರು ಕೊಟ್ಟ ವರದಿ ಬಗ್ಗೆ ಏನೂ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲಿಲ್ಲ.

Mr. SPEAKER.—Rule 52 clause (6) is as follows:—

“the motion shall not antieipate a matter which has been previously appointed for consideration.”

SRI S.R. BOMMAI.—It further says like this:

In determining whether a discussion is out of order on the ground of anticipation, regard shall be had of the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time."

ಸಿ.ಯು.ಸಿ. ವರದಿ ಮೇಲೆ ಇಲ್ಲಿನ ಪೋಲೀಸರು ಏನೂ ಕ್ರಮ ತೆಗೆದುಕೊಂಡಿಲ್ಲ. ಕನ್ಸ್ಟೆಬಲ್ ವಿತ್‌ಡ್ರಾ ಮಾಡಿದ್ದು ಸರಿಯಲ್ಲ ಎನ್ನುವುದರ ಬಗ್ಗೆ ನಾನು ವಿವರವಾಗಿ ಹೋಗುತ್ತಾ ಇಲ್ಲ. If we go into any number of cases the Committee suggested to have an enquiry by CBI.

ಅಧ್ಯಕ್ಷರು.—ಆ ವಿಷಯವನ್ನು ಈಗ ಹೇಳುವುದು ಬೇಡ.

SRI S.R. BOMMAI.—One offence involved inter State jurisdiction.

ಅಧ್ಯಕ್ಷರು.—ವಿವರವಾಗಿ ಹೇಳುವುದಕ್ಕೆ ಹೋಗಬೇಡಿ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದು ಇಂಟರ್ ಸ್ಟೇಟ್ ಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದು, ಬಂದೇ ರಾಜ್ಯದಲ್ಲಿ ಆಗಿಲ್ಲ. ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಇವರ ಮೇಲೆ ಚಾರ್ಜ್ ಇದೆ. ಮದ್ರಾಸ್ ರಾಜ್ಯದಲ್ಲಿ ಕೇರಳ ರಾಜ್ಯದಲ್ಲಿ ನಡೆದ ಘಟನೆ ಇದೆ. ಅದನ್ನು ನಮ್ಮ ರಾಜ್ಯದ ಪೋಲೀಸರು ಹೇಗೆ ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಮಾಡುತ್ತಾರೆ. ಅದನ್ನು ಸಿ.ಬಿ.ಐ.ನವರು ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಪ್ಯಾಡಿ ರೈಸ್ ಇಲ್ಲಿಂದ ತಮಿಳು ನಾಡಿಗೆ ಹೋಗತಕ್ಕಂಥಾದ್ದಿದೆ. ಇದರಲ್ಲಿ ನಮ್ಮ ರಾಜ್ಯದ ಮಂತ್ರಿಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಚಾರ್ಜ್ ಇದೆ. ಇದನ್ನು ನಮ್ಮ ರಾಜ್ಯದ ಪೋಲೀಸರು ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಮಾಡುತ್ತಾರೇನು ?

ಶ್ರೀ ಕೆ. ಹೆಚ್. ರಂಗನಾಥ್.—ಇಲ್ಲಿಂದ ತಮಿಳುನಾಡಿಗೆ ಹೋಗುತ್ತದೆ, ತಮಿಳುನಾಡಿನಿಂದ ಇಲ್ಲಿಗೆ ಬರುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ, ಇದು ಏನು ?

SRI S.R. BOMMAI.—My friend is not able to understand me.

SRI K.H. RANGANATH.—My knowledge of understanding is poor. At the same time, hon ble Member's expression of things is also very poor.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಉದಾಹರಣೆಗೆ ಹೇಳುವುದಾದರೆ, ರೈಸ್ ಡೀಲ್ ಮಾಡಿರುವ ಬಗ್ಗೆ ಗೋವರ್ ಕಮಿಷನ್ ಮುಂದೆ ಇದೆ. ಅದು ತಮಿಳುನಾಡಿನಿಂದ ನಮ್ಮ ರಾಜ್ಯಕ್ಕೆ ಒರಬೇಕಾಗಿತ್ತು.

SRI K. H. RANGANATH.—I rise point of order. This does not attract Rule 50. It is for the Leader of the Opposition to convince the Speaker, so that the Chair could give a ruling. This is a simple matter. But he cannot go on arguing from Bangalore to Tamilnadu and from Tamilnadu to Kerala etc., ತಾವು ಅಪ್ಪಣೆ ಕೊಟ್ಟರೆ, ಅಂಗೀಕಾರ ಅಹ್ ಅಡ್ಡಿಸಬಲ್ ಎಂದು ಹೇಳಿದರೆ ಅವರು ಏನು ಬೇಕಾದರೂ ಹೇಳುವುದಕ್ಕೆ ಅಧಿಕಾರ ಬರುತ್ತದೆ, ಅದಕ್ಕೆ ನಮ್ಮದು ಅಭ್ಯಂತರ ಇಲ್ಲ. I seek a ruling from the chair, whether it is admissible or not.

ಶ್ರೀ ಜಿ. ಎಚ್. ಪಟೇಲ್.—ಅವರ ಪಾಯಿಂಟ್ ಆಫ್ ಆರ್ಡರ್‌ಗೆ ಉತ್ತರವಾಗಿ ನಾನು ರೂಲ್ ಔನ್ಸ್ ಮುಖಾಂತರ ಓದುವುದಿಲ್ಲ. ಇಲ್ಲಿ ನಮಗೆ ರೂಲ್ಸ್ ಆಫ್ ಪ್ರೋಸೀಜರ್ ಎಷ್ಟು ಪ್ರಾಮುಖ್ಯವೋ ಇವೆಲ್ಲಕ್ಕೂ ಮೇಲೆ ಇರತಕ್ಕ ರಾಜ್ಯಾಂಗ ಅಷ್ಟೇ ಪ್ರಾಮುಖ್ಯ. ನಮ್ಮ ನಾಯಕರು ಪದೇ ಪದೇ ಹೇಳುತ್ತಿರುವುದು ಏನೆಂದರೆ, ಇದರ ಪ್ರಕಾರ ಅವಶ್ಯಕತೆ ಏನಿದೆ. ಅದು ಇತ್ತೀಚೆಗೆ ಆಗಿರತಕ್ಕ ಘಟನೆಗಳಾಗಿರಬೇಕು, ಮತ್ತು ಸಾರ್ವಜನಿಕವಾಗಿ ಬಹಳ ಮುಖ್ಯವಾಗಿರಬೇಕು. ಆದುದರಿಂದ ಬೇರೆ ಎಲ್ಲಾ

ಕಲಾಪಗಳನ್ನು ಬಿಟ್ಟು ಇದನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದು ನಿರ್ಣಯ ತಂದಿದ್ದಾರೆ. ಇತ್ತೀಚೆಗೆ ನಡೆದ ಘಟನೆ ಬಗ್ಗೆ ಈಗಾಗಲೇ ಸಾಬೀತು ಮಾಡಿದ್ದಾರೆ. ಇದು ಎಷ್ಟು ಪಾಮಾನ್ಯ ಎನ್ನುವುದನ್ನು ಗಮನಿಸಬೇಕು. Article 256 is being violated. Article 256 reads like this :

“The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State and the executive power of the Union shall extend to the giving of such direction to State as may appear to the Govt. of India to be necessary for that purpose.”

ಅವರ ಪಾಯಿಂಟ್ ಆಫ್ ಆರ್ಡರ್‌ಗೆ ನಾನು ಉತ್ತರ ಕೊಡುತ್ತಿದ್ದೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ಅವರು ಪಾಯಿಂಟ್ ಆಫ್ ಆರ್ಡರ್ ಎತ್ತಿದರೆ, ನೀವು ಉತ್ತರ ಕೊಡುವುದು, ಇದು ಯಾವ ಪ್ರೊಸೀಜರ್.

ಶ್ರೀ ಜೆ. ಎಚ್. ಪಟೇಲ್.—ತಮಗೆ ಸಹಾಯ ಮಾಡುವುದಕ್ಕೋಸ್ಕರ ನಾನು ಹೇಳುತ್ತಿದ್ದೇನೆ. ರೂಲ್ ೨೫೬ ನೋಡಿಕೊಂಡರೆ ಅದರ ಮೇರಿಟ್ಸ್ ಮೇಲೆ ಹೋಗುವುದು ಬೇಡ. ನೋಟೀಫಿಕೇಷನ್ ಏನು, ಏಕೆ ಬಂದಿದೆ ಎನ್ನುವುದು ಎಲ್ಲರಿಗೂ ಗೊತ್ತಾಗಿದೆ. ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯಗಳ ಸಂಬಂಧ ಹೇಗಿರಬೇಕು ಎನ್ನುವುದು ಆರ್ಟಿಕಲ್‌ನಲ್ಲಿ ಇದೆ. ಅದು ವಯೋಲೇಷನ್ ಆಗುತ್ತಾ ಇದೆ. ನೋಟೀಫಿಕೇಷನ್ ಮುಖಾಂತರ ರಾಜ್ಯ ಸರ್ಕಾರದವರು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಪವರ್ಸ್‌ನ್ನು ಸ್ವಟಿಲ್ ಮಾಡುವುದಕ್ಕೆ ಏನು ಬೇಕೋ ಅದನ್ನು ಮಾಡುತ್ತಿದ್ದಾರೆ. ನಮ್ಮ ಉದ್ದೇಶ ಏನೆಂದರೆ, ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನ್ ಪ್ರಕಾರ ಕೇಂದ್ರದ ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಪವರ್ಸ್‌ನ್ನು ರಾಜ್ಯದಲ್ಲಿ ಸುಸೂತ್ರವಾಗಿ ನಡೆಸುವುದಕ್ಕೆ ಯಾವ ರೀತಿಯಾದ ಆತಂಕವನ್ನು ಯಾವುದೇ ರಾಜ್ಯ ಮಾಡಬಾರದು. ಒಂದು ಸಾರಿ ಇದು ಪ್ರಾರಂಭವಾದರೆ ಎಲ್ಲಾ ಕಡೆ ಹಬ್ಬಿ ನಮ್ಮ ರಾಷ್ಟ್ರದ ಇಂಟಿಗ್ರಿಟಿಗೆ ಧಕ್ಕೆಯಾಗತಕ್ಕ ಪರಿಸ್ಥಿತಿ ಬರುತ್ತದೆ. ಇವತ್ತು ನನ್ನ ಮೇಲೆ ನಾನೇ ತನಿಖೆ ಮಾಡಿಕೊಳ್ಳುವುದೇ. ನನ್ನ ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನ್ ಕ್ಲಿಯರಾಗಿದ್ದರೆ, ಜನ ಓಟು ಕೊಟ್ಟಿದ್ದಾರೆ ಎನ್ನು ವಮಿಶ್ರಾಸವಿದ್ದರೆ ಈ ನೋಟೀಫಿಕೇಷನ್ ಏಕೆ ಬೇಕಾಗಿತ್ತು ? ಇದರ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡುವುದು ಅವಶ್ಯಕ ಎಂದು ರೂಲ್ ೫೦ ಹೇಳುತ್ತದೆ.

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಈ ಬಗ್ಗೆ ನಾನು ಒಂದು ಉದಾಹರಣೆಯನ್ನು ಕೊಟ್ಟು ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ. ಮಾನ್ಯ ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಸಚಿವರು ತಮಿಳುನಾಡಿನಿಂದ ಬೆಂಗಳೂರಿಗೆ, ಬೆಂಗಳೂರಿನಿಂದ ಕೇರಳಕ್ಕೆ ಹೋಗುತ್ತಿದ್ದೇನೆಂದು ಹೇಳಿದ್ದಾರೆ. ಅಕ್ಕಿಯನ್ನು ತಮಿಳು ನಾಡಿನಲ್ಲಿ ತೆಗೆದುಕೊಂಡು ಅದನ್ನು ಹೆಚ್ಚಿನ ಬೆಲೆಗೆ ಕೇರಳದ ಒಬ್ಬ ಖಾಸಗಿ ವ್ಯಕ್ತಿಗೆ ಮಾರಿದ್ದಾರೆ. ಅಕ್ಕಿ ಕರ್ನಾಟಕಕ್ಕೆ ಬರಲಿಲ್ಲ. ಅದು ಇರತಕ್ಕಂಥ ಚಾರ್ಜಸ್. ಇದರ ಬಗ್ಗೆ ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಆಗಬೇಕಾಗಿದೆ. ಇದನ್ನು ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಮಾಡಬೇಕಾದರೆ ತಮಿಳುನಾಡಿಗೆ ಹೋಗಬೇಕಾಗುತ್ತದೆ. ಕೇರಳಕ್ಕೂ ಹೋಗಬೇಕಾಗುತ್ತದೆ. ನಮ್ಮ ರಾಜ್ಯದವರೂ ಹೋಗಬೇಕಾಗುತ್ತದೆ. ಇಂತಹ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆಂದು ಊಹಿಸಿ ಅದನ್ನು ವಿತ್ ಡಾ ಮಾಡಿದ್ದಾರೆ. ಕೆಲವು ಕಡೆಗಳಲ್ಲಿ ಇಂತಹ ಪ್ರಶ್ನೆ ಉದ್ಭವಿಸಿದಾಗ ಕೇಂದ್ರ ಸರ್ಕಾರದ ಸಿ.ಬಿ.ಐ. ಅಧಿಕಾರಿಗಳು ವಿಚಾರ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇದೆ. ಅನೇಕ ಸಲ ಈ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆ ಎನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಇವರು ಅದನ್ನು ವಿತ್‌ಡಾ ಮಾಡಿದ್ದಾರೆ. ಇದು ಸಾರ್ವಜನಿಕವಾಗಿ ಮಹತ್ವದ ವಿಚಾರ ಹೌದೋ ಅಲ್ಲವೋ ? ಅದನ್ನು ನೀವೇ ತೀರ್ಮಾನ ಮಾಡಿ. ಹಿಂದೆ ಅಧಿಕಾರ ದಲ್ಲಿದ್ದವರ ಮೇಲೆ ಈ ಚಾರ್ಜಸ್ ಇದೆ. ಇದರ ಬಗ್ಗೆ ಪೂರ್ಣವಾದ ತನಿಖೆ ಆಗಬೇಕು. ಇದಕ್ಕೆ ರಾಜ್ಯದ ಒಬ್ಬಿಗೆಯೂ ಅವಶ್ಯಕತೆಯೂ ಇದೆ. ಮುಂದೆ ಗ್ಯೋವರ್ ಕಮೀಷನ್‌ನವರು ಅಂತಿಮ ತೀರ್ಮಾನ ಕೊಟ್ಟ ಮೇಲೆ ಕೇಂದ್ರ ಸರ್ಕಾರದ ಸಿ.ಬಿ.ಐ. ಅಧಿಕಾರಿಗಳು ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಮಾಡುತ್ತಾರೆ. ಅದ್ವರಿಂದ ಅದನ್ನು ವಿತ್‌ಡಾ ಮಾಡಿ ನಮ್ಮ ರಾಜ್ಯ ಪೊಲೀಸ್ ಅಧಿಕಾರಿಗಳ ಮೂಲಕ ತನಿಖೆ ನಡೆಸಿದ ಹಾಗೆ ಮಾಡಿ ತಮ್ಮ ಮೇಲೆ ಇರತಕ್ಕಂಥ ಆಪರಾಧದಿಂದ ಪಾರಾಗುವ ಉದ್ದೇಶ ಇದರಲ್ಲಿ ಸ್ಪಷ್ಟವಾಗಿ ಕಾಣುತ್ತದೆ. ನಮ್ಮ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಬಹಳ ಧೈರ್ಯಶಾಲಿಗಳು. ಇವರು ಮಾಡಿರುವ ಅಪ

ರಾಧದ ಮೇಲೆ ವಿಚಾರಣೆ ನಡೆದಾಗ ತಮ್ಮ ಪೋಲೀಸಿನವರಿಂದಲೇ ಆಗಬೇಕು, ಕೇಂದ್ರದವರಿಂದ ಆಗ ಬಾರದು ಎನ್ನುವ ನಿರ್ಧಾರ ನಮ್ಮ ಮುಖ್ಯ ಮಂತ್ರಿಗಳಲ್ಲಿ ಇದೆ. ಇದು ಸರಿಯಲ್ಲ. ಅವರ ಒಂದು ಒಳ್ಳೆಯ ಉದ್ದೇಶದಿಂದ ಹೇಳುತ್ತೇನೆ. ಇದನ್ನು ಚರ್ಚೆ ಮಾಡಲು ತಾವು ಅಪ್ಪಣೆ ಕೊಡಬೇಕು.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ನಿಮ್ಮ ಮೊಸಳೆ ಕಣ್ಣೀರು ನನಗೆ ಬೇಡ. ನಿಮ್ಮಿಂದ ನಾನು ಪಾಕ ಕಲಿಯಬೇಕಾಗಿಲ್ಲ.

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಒಂದು ಮಾತನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳುತ್ತಿದ್ದೇನೆ. ತಾವು ಈಗ ಏನೊಂದು ನೋಟಿಫಿಕೇಷನ್‌ನ್ನು ಹೊರಡಿಸಿದ್ದೀರಿ ಇದರಿಂದ ತಮಗೆ ಒಳ್ಳೆಯ ಹೆಸರು ಬರುವುದಿಲ್ಲ. ತಮ್ಮ ಸರ್ಕಾರಕ್ಕೆ ಒಳ್ಳೆಯದಾಗುವುದಿಲ್ಲ. ಭವಿಷ್ಯ ನುಡಿಯುತ್ತಿದ್ದೇನೆಂದು ತಾವು ಬಾವಿಸಬಾರದು. ಒಂದು ವೇಳೆ ಇವತ್ತು ಗ್ರೇವರ್ ಕಮಿಷನ್ನಿನ ಮುಂದೆ ಏನೊಂದು ಚಾರ್ಜಸ್ ಇದೆ. ಅದರ ಬಗ್ಗೆ ತನಿಖೆ ಮಾಡತಕ್ಕಂಥ ಅಧಿಕಾರ ಕೇಂದ್ರದ ಸಿ.ಬಿ.ಐ ಅಧಿಕಾರಿಗಳಿಗೆ ಇರುತ್ತದೆ, ಅವರ ಏನಾದರೂ ಇದರ ಬಗ್ಗೆ ತನಿಖೆ ನಡೆಸಿ ನೀವು ನಿರಪರಾಧಿಗಳು ಎಂಬುದಾಗಿ ಅಂತಿಮ ತೀರ್ಮಾನ ಕೊಟ್ಟರೆ ಅದಕ್ಕೆ ಸಾಬೀಲರೂ ತಲೆ ಬಾಗುತ್ತೇವೆ.

ಅಧ್ಯಕ್ಷರು.—ನಿಲುವಳಿ ಸೂಚನೆ ಬಗ್ಗೆ ಈ ರೀತಿ ದೊಡ್ಡದಾಗಿ ಭಾಷಣ ಮಾಡುತ್ತಾ ಹೋದರೆ ಹೇಗೆ ? ಈ ದಿವಸ ಇರತಕ್ಕಂಥ ಕಾರ್ಯಕಲಾಪಗಳು ಮುಗಿಯುವುದಿಲ್ಲ.

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದು ಬಹಳ ಮುಖ್ಯವಾದ ವಿಚಾರವಾದುದರಿಂದ ವಿವರ ವಾಗಿ ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಅದಾದರಿಂದ ಹೇಳಿದ್ದೇನೆ, ಇದನ್ನು ಚರ್ಚೆ ಮಾಡಲು ತಾವು ಅಪ್ಪಣೆ ಕೊಡಬೇಕು.

SRI C. M. ARMUGAM.— Sir, first of all, it is very unfortunate that the other members those who have not signed it, are not aware of the facts. We are not equipped with the information, because we did not know that the adjournment motion would come up to-day. The arguments should be confined to the adjournment motion. Somebody raises an adjournment motion that does not find a place in the day's agenda. This is my submission to Mr. S. R. Bommai who has brought this motion. I am only concerned whether the Government of Karnataka has got the power to withdraw the consent and if it has the power, then would the findings of the Commission appointed by the Central Government be implemented or not? I may be enlightened regarding these two points.

SRI BHIMANNA S. KANDRE.— Under the rules it is not necessary to give information to all the other members.

SRI C. M. ARMUGAM.— Then, how am I to know? I am asking the speaker to get the rule amended if it is defective. Mr. Bommai was saying that by withdrawing the consent, the Central Government may not be able to implement the findings of the Grover Commission and prosecute the person concerned. I want to know whether the State Government has the power to withdraw it, as this ultimately leads to Centre-State relations. Previously, the same party was ruling at the Centre and in the State but now different parties have been ruling. So, this point has arisen. Even in Tamil Nadu it has

been raised and even the West Bengal Chief Minister has raised this point. The Hon. Leader of the Opposition may enlighten us on this point.

SRI S. R. BOMMAL.— For circulating the Adjournment Motion, there is no rule. If the rule is amended, I have no objection. As the rules stand, there is no procedure for circulating to other members. Secondly, about the question of the right of the State Government to withdraw consent, I have already submitted. In my opinion, it has no right, once it has given consent. The questions of propriety and morality are involved in the notification of withdrawal. Even if the State Government has got the power to withdraw the consent, the question of propriety and political morality come in and the question of State-Centre relation also comes in, particularly the question of political morality. It could have been done after the Grover Commission is over, and if all the findings are in favour of the persons and if they are cleared of charges, then if the consent is withdrawn, it would be alright. Here there is the ulterior motive of saving their own skin. Therefore, it must be discussed and it is a matter of public importance.

SRI D. DEVARAJ URS.— If in the name of making statement the debate were to go on like this, I am sorry, Sir I cannot hold myself responsible for interruptions from this side. Because the scope at this preliminary moment is only to submit to this House about the admissibility. While doing so, the Hon. Leader of the Opposition has wrangled too far from the subject and he goes on talking about the possibility of Grover coming to the conclusion either this way or that way regarding the charges that are before the Grover Commission and all that. All those things cannot be relevant also and they cannot be the subject matter for the adjournment motion. In spite of that, if the time is taken to go on talking about what is possible and what is not possible and what is likely to happen in future as if he is the gentleman who is anticipating what Grover is likely to write, it is not correct. Why are you so much upset? You have said so many things. I just mentioned about it.

12.00 Noon

SRI Y. RAMAKRISHNA.— Then why this notification has been issued.

SRI D. DEVARAJ URS.— If you have patience, I will give my reply to it and I will also tell you why I have brought it. Do you mean to say that I should submit to everybody before I do? Again and Again I repeatedly submit to you let us not wrangle from the subject of making a submission regarding the admissibility. Otherwise, it becomes very difficult to function in this House.

SRI S. R. BOMMAI.— All the signatories need not speak but if there are any other new points, important members may speak.

SRI D. DEVARAJ URS.— On this there will be difficulty. Who is an important person and who is not an important person here? for the admissibility, as the Hon. Leader of the Opposition has made out, if there is any new point, then, some of them may speak. I can understand but if you want to go into the merits and demerits of those charges that are likely to come before the Grover Commission, I am sorry, it cannot be allowed even according to the rules. I am not talking anything else. Even according to the Procedure, it cannot be allowed. Rule No. 53 reads thus.

“53. No motion which seeks to raise discussion on a matter, pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter shall”

For one thing you want the protection of the Chair for something else, you don't want.

SRI S. R. BOMMAI.— We are not going into the merits.

SRI D. DEVARAJ URS.— You are anticipating what is likely to happen in the Grover Commission. You cannot and you have no right.

SRI S. R. BOMMAI.— You have anticipated.

SRI D. DEVARAJ URS.— I have not anticipated. I know you are a lawyer. But don't talk about anticipation. You have no right to anticipate. He looks as if he is already knowing what Mr. Grover writes. While making statement either regarding the discussion of the subject matter itself or regarding the submission to be made to brief the case for the admissibility, it is unfortunate that the subject-matter which is before the Commission has been mentioned. This is a subject-matter which refers to the interim report. That I have no objection provided the adjournment motion is admitted. Regarding other charges, I wish to submit that no member can make reference because they are already before the tribunal and my good friend Sri Bommai is a very good lawyer who is also there before the Commission on behalf of the memorialists. I know about it. He thinks whatever submission he makes will be accepted and therefore he anticipates that Mr. Grover is going to write this way only on some of these charges. Please don't anticipate like that. What happens. I cannot say at this stage nor can you say. You, as a best lawyer, may ably put-forth the case against me or anybody else,

and it may be accepted or not accepted I don't know. Therefore, let us not drag all those things into the discussion now which is not correct. Even according to rules, it is not permissible. In spite of that, simply spending too much of our time on these things, is not correct. As mentioned by him, if there is any other new point let anybody says and I cannot come in the way but my only submission is at the admissibility stage itself. What is the point in going on discussing for hours and hours. If you permit me afterwards, I will make my submission and it is for you to take a decision.

MR. SPEAKER.— I would like to read the following for the information of the hon. members.

“Procedure for disposal of an adjournment motion:

Opportunity given to members to explain the admissibility of the adjournment motion for the sake of convenience and not as a matter of right.”

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ರೂಲ್ ಔಟ್ ಮಾಡಿದ್ದು ಒಂದಿಷ್ಟೇ. ನಾನು ಸಂಪೂರ್ಣವಾಗಿ ಒಪ್ಪುತ್ತೇನೆ. Merits and de-merits of the Grover Commission charges ಏನಿದೆ ಅದನ್ನು ನಾನು ಮಾತನಾಡಲಿಲ್ಲ. ನಾನೂ ಹೇಳಿದ್ದು ಎರಡೇ ಎರಡು ಮಾತುಗಳು ಇದರ ಅಂಟಿಪೀಟ್ ಬಗ್ಗೆ ನಾವು ಏನೋ ಒಂದನ್ನು ನಮ್ಮ ಮನಸ್ಸಿನಲ್ಲಿ ಗ್ರಹಿಸಬಹುದು. ಅವರೂ ಕೂಡ ಏನೋ ಒಂದನ್ನು ತಮ್ಮ ಮನಸ್ಸಿನಲ್ಲಿ ಗ್ರಹಿಸಬಹುದು. ಅವರು ಏನು ಗ್ರಹಿಸಿದ್ದಾರೋ ಗೊತ್ತಿಲ್ಲ. Being memorialists, we may say and we may succeed. ಸ್ಟೇಟ್ ಆಗುತ್ತದೆಂದು ಹೇಳಬಹುದು. ಅವರು ಈ ಆಪಾದನೆಯಲ್ಲಿ ಹುರುಳುಬಿಡುವುದು ಹೇಳಬಹುದು. ಆದರೆ ಇದರ ಹಿನ್ನೆಲೆಯನ್ನಾದರೂ ಹೇಳುವ ಉದ್ದೇಶ ಏನಿತ್ತೆಂದು ಕೇಳುತ್ತೇನೆ. ಗೌರವರ ಕಮಿಷನ್ ತಮ್ಮ ವಿರುದ್ಧ ಬರಬಾರದೆಂಬ ಮಾತನ್ನು ಕೇಳಿದೆ. anticipation is there by the Government and not by me. ತಾವು ಇದನ್ನು ಮಾಡಿದ ಉದ್ದೇಶ ಏನು ಎಂದು ಕೇಳಬಹುದಾಗಿತ್ತು.

SRI B.V. KAKKILAYA.—I rise to a point of order. ನಮ್ಮ ಮಾನ್ಯ ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರು ಹೇಳಿದರು, ಯಾರೂ ನಿಲುವಳಿ ಸೂಚನೆಗೆ ಸಹಿ ಹಾಕಿದ್ದಾರೆ ಅವರೆಲ್ಲರೂ ಮಾತನಾಡಬಹುದು. ಬೇರೆಯವರು ಮಾತನಾಡಬೇಕಾದ ಅವಶ್ಯಕತೆ ಇಲ್ಲ ಎಂದು ಪ್ರತಿಪಾದಿಸಿದರಲ್ಲ. ಕೆಲವರು ಮಾತನಾಡಿ ಇನ್ನು ಉಳಿದವರಿಗೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ ಎಂದರೆ ನಾವು ಸುಮ್ಮನೆ ಕುಳಿತಿರುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಆದ್ದರಿಂದ ತಾವು ದಯವಿಟ್ಟು ಈ ಬಗ್ಗೆ ರೂಲಿಂಗ್ ಕೊಡಬೇಕು. ತಾವು ರೂಲಿಂಗ್ ಕೊಟ್ಟಮೇಲೆ ಮುಂದೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇರುತ್ತದೆ.

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಮಾನ್ಯ ಕೈಲಾಸರವರಿಗೆ ಹೇಳುವುದೇನೆಂದರೆ, ಈ ಕಡೆ ಯವರು ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇದೆ. ಅಡ್ವರ್ಟೈಸಿಂಗ್ ಮೇಂಟ್ ಕೊಟ್ಟವರು ಮಾತನಾಡಿದ ಮೇಲೆ ಆ ಕಡೆಯವರು ಅಧ್ಯಕ್ಷರು ಅಪ್ಪಣೆ ಕೊಟ್ಟರೆ ಮಾತನಾಡಬಹುದು.

ಅಧ್ಯಕ್ಷರು.—ಈಗ ನಾನು ರೂಲ್ಸ್‌ನ್ನು ಓದಿದೆ. ಅವರು ಹೇಳಿದ ಇರಾಂತ್ ಪಾಯಿಂಟನ್ನು ಸ್ಟಿಮೆಂಟ್ ಮಾಡುತ್ತಿದ್ದೀರಿ. ಹೀಗೆಲ್ಲ ಸುಮ್ಮನು ಸುಮ್ಮನೆ ಸಭೆಯ ಸಮಯವನ್ನು ಕಳೆಯಬಾರದು.

ಶ್ರೀ ಪಿ. ರಾಮದೇವ್.—ಸಹಿ ಮಾಡಿರುವವರ ಪೈಕಿ ನಾನೂ ಒಬ್ಬ. ನಾವು ಏನು ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ತಂದಿದ್ದೇವೆ ಅದಕ್ಕೆ ಕನ್ಸೆಂಟ್ ಕೊಡಬೇಕೆಂದು ಒತ್ತಾಯ ಮಾಡುತ್ತೇನೆ. ಇದರಲ್ಲಿ ಬಹಳ ಗದನವಾದ ವಿಚಾರ ಇದೆ. ಅದ್ದರಿಂದ ಇಂಥ ಸಂದರ್ಭದಲ್ಲಿ ತುರ್ತಾಗಿ ತಂದಿರುವ ಈ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಚರ್ಚಿಸುವುದಕ್ಕೆ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಒತ್ತಾಯ ಮಾಡುತ್ತೇನೆ. ಈ ಬಗ್ಗೆ ವೆಚ್ಚಿಗಿ ವಾದ ಮಾಡುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ.

ಅಧ್ಯಕ್ಷರು.—ತಾವು ಹೇಳಿದ್ದರಲ್ಲಿ ಹೊಸ ವಿಚಾರವೇನು ತಿಳಿಯಲಿಲ್ಲ.

SRI K. PUTTASWAMY.—Sir, I thank you very much for your bringing to the notice of this House that a discussion at this stage is only for purposes of convenience and not as a matter of right. Sir, instances are not wanting when the adjournment motions have been disposed off in the chambers of the Speaker itself. The Speaker often times atleast some times brings the adjournment motion to the information of the House and allows the person who has tabled the motion to explain how it is a matter of recent urgent public importance. At this stage, as you have rightly remarked we can only confine our remarks this point that it is a recent occurrence and it is such a public importance so as to merit the other business of the House being postponed in preference of this resolution. Sir, that it is a matter of a recent occurrence does not need the argument, because the Government have been pleased to furnish a copy the notification when they have issued only yesterday. Incidentally, the Hon'ble Minister for Parliamentary Affairs referred to the wording of the adjournment motion notice. At this stage, I do not like to go into that matter, until you are pleased to give your consent and the House also agrees to take it up. That stage is after your giving consent to the Hon'ble Members to place the same before the House. It requires your permission and it cannot be taken up unless you give consent for this adjournment motion. Sir, I should convince you that this a matter of such public importance that it deserves to be taken up in preference of all other subjects that have been placed in the agenda is my task. Sir, incidentally, we have while trying to say how this matter is of a urgent public importance, we may have to refer to certain aspects arising out of this notification. The Hon'ble Minister for Parliamentary Affairs has stated that the notification that the Government have been pleased to issue yesterday is prospective in nature not retrospective in operation. I am very much obliged to him for his remarks. Perhaps, there would have been no occasion for me to explain the consequences of this notification. Sir, in pursuance of this original notification giving consent for Delhi State Police to investigate certain cases, there have been several cases which have been investigated by them. Some of them may be in different stages. In some cases they may have filed F.I.R. and they might be investigating the cases. In certain other cases they might have already submitted a report. So, the investigation by the Delhi State Police might be at several stages, in several cases, I do not know in how many cases the Delhi State Police are investigating and how many chargesheets have been filed. Then, Sir, I would like to ask the Hon'ble Minister for Parliamentary

Affairs, what is going to happen to those cases. They cannot step into our State, because consent is withdrawn and if it is validly withdrawn, then no Officer of Delhi State Police can enter into this State to investigate any Criminal matter. They will have to stop their work.

SRI K.H. RANGANATH.—Is it the opinion of the Hon'ble Member that he would permit to erode all the rights of the State. I am seeking clarification from the Hon'ble Member. I do not want this type.....

ಶ್ರೀ ಮಲ್ಲೂರ್ ಅನಂದರಾವ್.—ಈಗ ಜ್ಞಾನೋದಯವಾಯಿತು? ಇಂದಿರಾಜಿಯವರು ದುರ್ಬಾರು ಮಾಡುತ್ತಾ ಇದ್ದಾಗ ಎಲ್ಲಿ ಹೋಗಿದ್ದು ಈ ಸ್ಟೇಟ್ ರೈಟ್ಸ್, ಈಗ ಜ್ಞಾನೋದಯ ವಾಗುತ್ತಿದೆಯೇ? ಸ್ಟೇಟ್ ಅಟಾನಮಿ ಈಗ ಬಂತೇ?

SRI K. PUTTASWAMY.—Sir, the Hon'ble Minister has put a very pertinent question and this is such an important question which cannot be gone into at a time like this. Sir, this withdrawal of Consent by notification may itself amount erosion of the rights of the State. That will come up one day or the other and there will be a full dressed debate on this. I am sure if I am present I shall also participate in it and I am very definite that withdrawing the consent the Government have not safeguarded the rights of the State.

SRI K. H. RANGANATH.—Why I said is, probably he is aware Sir, In the State List item which says "Police (including railway and village police) subject to the provisions of entry 2A of List I)". Sir, to that extent we are competent to exercise our rights. Sir, further I would like to read 2A of List-I-7th schedule. It reads:

"2A. Deployment of any armed force of the Union or any other force subject to the control of the Union or any contingent or unit thereof in any State in aid of the civil power; powers, jurisdiction, privileges and liabilities of the members of such forces while on such deployment".

Therefore, I would like to ask is it the opinion of the Hon'ble member to permit erosion on the right of the State.

SRI K. PUTTASWAMY.—Sir, this is the item which was introduced in the 42nd Amendment and as long as they were included in the constitution we have got right to make a reference. Sir, I am afraid I may be held guilty of taking much of the time of the House. Sir, you will be pleased to appreciate that to succeed in convincing you that it is a matter of urgent public importance, it is necessary for me to adduce all the arguments which would support my contention,

The Hon'ble Minister referred to List I, Seventh Schedule. I will read item 80 :

“Extension of the powers and jurisdiction of members of a police force belonging to any State to any area outside that State, but not so as to enable the police of one State to exercise powers and jurisdiction in any area outside that State without the consent of the Government of the State in which such area is situated; extension of the powers and jurisdiction of members of a police force belonging to any State to railway areas outside that State.”

Here, unless the State Government consents, they cannot get that power. Here there is no question of powers of the State and powers of the Centre. It is included in the Union List and by virtue of it they have asked for the consent of the Government and Government have given consent. Now the Government has withdrawn that consent. We are now questioning the Government's right under the Constitution to withdraw the consent. That is a different matter altogether. We are only asking how the withdrawal of the consent at this stage becomes a matter of public importance.

As I was telling the House there have been cases. Government alone can tell us what are the number of cases that are pending enquiry or investigation. I ask the Government to tell me what is going to happen to all those cases. Is that not a matter of public importance? According to the C.B.I. they cannot be proceeded further. Those officers cannot step in. If they mind they may either give the records or not give the records. So, what is to happen to all those cases? That is why this is a matter of public importance. In support of that, incidentally the Hon'ble the Leader of the Opposition made a reference to certain findings of the Grover's Commission and certain enquiries before that Commission. The Hon'ble Speaker drew attention of the House to rule 53 and said the matters are pending before the Grover Commission and they should not be discussed. It is not our intention to discuss matters which are pending before the courts at all. It is only incidentally they made a reference to those matters which are pending before that Commission. The motion that we have now tabled does not try to raise a discussion on the matters pending before the Grover Commission. That is not our intention at all. A plain reading of rule 53 and the proviso will convince you, Sir, that there is no attempt on the part of those members who have tabled this motion to draw into discussion the matters pending before the Grover Commission. Reference was made only to highlight the point viz. what is to happen to those investigations? Now that the Hon'ble

the Chief Minister is present I will try to pose a question to him, I do not want to go into the merit of it. The Chief Minister has got a genial temperament and he would not get upset in spite of provocation. I am not trying to provoke him at all. We are told that as a result of the findings of courts, a complaint has been lodged by the C.B.I. against the Hon'ble Chief Minister and one or two Hon'ble Ministers. I would ask the Chief Minister what is to happen to this complaint. I wish to impress on you, Sir, that the motion that we have tabled is a matter of public importance. As I said, I am not going into its merit. Simply because a complaint is there we cannot take it that the persons against whom it is made is guilty. Nothing of that sort. Even according to me, the finding of Grover Commission is an investigation by a judicial officer, instead of by a police officer, with a judicial temperament and without any prejudice. He has tried to investigate into the case and found that there is a case against the persons who are complained against. In this particular case there is a finding by the Grover Commission against the Hon'ble Chief Minister and according to my information, the C.B.I. have taken up the investigation and filed the first information report. If as a result of investigation they are convinced that there is a case against the Hon'ble Chief Minister, they will chargesheet the Chief Minister. Otherwise they will drop the case. The purpose of my raising this question is to ask the Chief Minister as to what is going to happen to this matter. Suppose there is a case against the Chief Minister. What is going to happen? The Delhi Police cannot enter the State and take up the matter and the Hon'ble Chief Minister may say that the matter will be taken up by the State police. I would like to ask him whether the persons who are under the authority of the Chief Minister himself will be able to investigate the case impartially, objectively and fearlessly and whether they will be able to place a chargesheet. The Chief Minister may contend that they may do so. I may also agree but what would be the feeling of others who are outside this House? We must be above board.

SRI D. DEVARAJ URS.—The hon'ble Member puts a question and answers it himself.

SRI K. PUTTASWAMY.—Not only justice should be done but justice must seem to be done. It is not enough if it is said that justice is done. I am not making any accusation against the State police. After all they are the guardians of our rights and we cannot speak lightly of the police. They are very necessary for the maintenance of law and order and for projection of our rights. I am not straightaway casting any reflection that they would not be able to investigate a case impartially and freely. But all the same I would like to tell

the Hon'ble Chief Minister that they may do justice and he may also feel that justice has been done. But the world will not believe; the world will feel that justice has not been done properly. That is why the matter becomes a matter of public importance. It is here that it becomes necessary for some members who participate in this discussion to stray into other matters. Otherwise it should not have taken so much time.

12-30 P.M.

It is unfortunate that time and again occasions have arisen to adduce arguments in respect of rules 50 and 52. That is because it is my experience that the Government would not readily recognise the importance of a subject. If Government concedes that this is a matter of urgent public importance then it becomes easy for the Speaker to come to a decision. Unfortunately it is the habit of any Government to always resist the demand of any adjournment motion howsoever the matter may be of public importance. I would like the Chief Minister to rise above these things and concede the importance of this matter. Now, I am not raising any constitutional matters. I am not challenging the right of the Government in withdrawing the consent. But, as a result of withdrawal what is going to happen? Therefore, I would submit to the Hon'ble Speaker to kindly consider these things. In my opinion this is a matter of sufficient public importance to merit the adjournment motion being taken up in preference to all other subjects which are on the Agenda paper.

SRI D. DEVARAJ URS.—Mr. Speaker Sir, I have been asked to submit my reply to the several issues raised,

SRI H. GANGADHARAN.—We have also signed the adjournment motion. We have also something to submit to the Chair so that the Chair can come to the correct conclusion.

SRI D. DEVARAJ URS.—If they want to speak I have nothing to say. I will sit and hear them and then when the Chair asks me to speak I will speak.

MR. SPEAKER.—It is not possible to allow all the hon'ble members who have signed the motion to speak. Only one or two more may speak.

ಶ್ರೀ ಹೆಚ್. ಗಂಗಾಧರನ್.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ನಮ್ಮ ಮುಂದೆ ಇರತಕ್ಕ ವಿಷಯ ಡೆಲ್ಲಿ ಪೋಲೀಸ್ ಎಸ್ಪೆಷಿಯಲ್ ಫೋರ್ಸ್ ಆಕ್ಟ್ ೧೯೪೬. ಇದರ ಶೀರ್ಷಿಕೆ ಹಿಂದಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿರುವುದು ಸರಿಯಲ್ಲ ಎನ್ನುವ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟವರಿಗೆ ನಮ್ಮ ಮುಂದೆ ಪ್ರಶ್ನೆ ಇದೆ. ಇದು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಅಂಗೀಕಾರ ಅರ್ಹ ಹೌದೋ ಅಲ್ಲವೋ ಎನ್ನುವುದರ ಬಗ್ಗೆ ರಾಷ್ಟ್ರಧರ್ಮಕ್ಕೆ ವಿಧಾನ ಮಂಡಲಗಳು ಏನು ಸಂಪ್ರದಾಯ ಪರಿಪಾಲನೆ ಮಾಡಿವೆ ಮತ್ತು ಏನು ತೀರ್ಪುಗಳನ್ನು ಕೊಟ್ಟಿವೆ ಎನ್ನುವುದರ ಬಗ್ಗೆ ಕೆಲವು ತೀರ್ಪುಗಳನ್ನು ತಮ್ಮ ಮುಂದೆ ಇಡುವುದಕ್ಕೆ ಇಚ್ಛೆ ಪಡುತ್ತೇನೆ,

ಅದಕ್ಕೆ ಮುಂಚಿತವಾಗಿ ನಮ್ಮ ರಾಜ್ಯಾಂಗದ ಓನೇ ಪರಿಶಿಷ್ಟದ ಖನೇ ಅಂಶವನ್ನು ನಾವು ಇಲ್ಲಿ ಗಮನಿಸಬೇಕು. ನಮ್ಮ ಮಂತ್ರಿಗಳು ಪ್ರಮಾಣ ವಚನ ಕೈಗೊಳ್ಳುವ ಸಂದರ್ಭದಲ್ಲಿ ಒಂದು ಮಾತನ್ನು ಹೇಳುತ್ತಾರೆ.

I,.....swear in the name of God I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India that I will faithfully and conscientiously discharge my duties as a Minister for the State of Karnataka and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill will'.

ರಾಜ್ಯಾಂಗಕ್ಕೆ ಬದ್ಧವಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತೇನೆ ಎಂಬ ಈ ಒಂದು ಅಂಶಕ್ಕೆ ಹೆಚ್ಚು ಗಮನವನ್ನು ಕೊಟ್ಟಿದೆ. ಕೆಲವು ವರ್ಷಗಳ ಹಿಂದೆ ಅನುಮತಿಯನ್ನು ಕೊಟ್ಟಿದ್ದನ್ನು ಅನಿರೀಕ್ಷಿತವಾಗಿ ಯಾವ ಸರ್ಕಾರವನ್ನೂ ಕೊಡದೆ ಯಾವುದೇ ರಾಜ್ಯದ ಜನತೆಯ ಮನೋಭಿಪ್ರಾಯವನ್ನು ತಿಳಿಯದೆ ತರಾತುರಿಯಿಂದ ಹಿಂದಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿರುವುದು ಸರಿಯೇ? ರಾಜ್ಯದ ಹಿತದೃಷ್ಟಿಯಿಂದ ಇದು ಗಮನಿಸಬೇಕಾದ ವಿಷಯ. ಇಂಥಾ ಸಂದರ್ಭದಲ್ಲಿ ಇಂಥಾ ವಿಷಯಗಳಿಗೆ ಅವಕಾಶವನ್ನು ಕೊಡಬೇಕು ಎನ್ನುವ ವಿಷಯವನ್ನು ಕುರಿತು ನಮ್ಮ ರಾಜ್ಯದ ಮೊಟ್ಟ ಮೊದಲನೆಯ ಪಾರ್ಲಿಮೆಂಟಿನ ಅಧ್ಯಕ್ಷರಾದಂತಹ ಮೌಲಾಂಕರ್ ಅವರು ಒಂದು ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. ಆ ವಿಷಯಕ್ಕೆ ತಮ್ಮ ಗಮನವನ್ನು ಹುಸಿ ಅದರ ಆಧಾರದ ಮೇಲೆ ಇದಕ್ಕೆ ಚರ್ಚೆಗೆ ಅವಕಾಶವನ್ನು ಕೊಡಬೇಕು. ಇದು ಯೋಗ್ಯವಾದದ್ದು ಎಂದು ತಮ್ಮ ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ತಾವು ಇದನ್ನು ತೀರ್ಮಾನ ಮಾಡಬೇಕು ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಅವರು ಹೇಳಿದಂತಹ ವಿಷಯ ಈ ರೀತಿ ಇದೆ:

"The crucial test always is as to whether the question proposed to be raised has arisen suddenly and created an emergent situation of such a character that there is PRIMA FACIE case of urgency and the House must therefore leave aside all other business and take up the consideration of the urgent matter at the appointed hour. The urgency must be of such a character that the matter really brooks no delay and should be discussed on the same day the notice has been given.

Successive Speakers of the Central Legislative Assembly, including myself, had considerably relaxed the rule of admission as it prevailed in the House of Commons, for the obvious reason that private members, who were in opposition had few opportunities of discussing matters of public importance. They were in perpetual political opposition to the Government of India and the general political set-up of those days always induced the Speaker to relax the rule give more scope for discussion and expression of the popular views. They had in this matter the general support of the legislature. The Government then was not responsible to the legislature, nor were they amenable to its control there was therefore, good ground for the presiding officers to

relax the strict House of Commons practice and allow opportunities for discussion of all important questions on adjournment motions."

ಅನೇಕ ಲೆಜಿಸ್ಲೇಟಿವ್ ಅಸೆಂಬ್ಲಿ ರಿಪೋರ್ಟಿನಲ್ಲಿ ರೂಲಿಂಗ್ ಕೊಟ್ಟಿರುವ ಬಂದು ಪ್ರಸಂಗವನ್ನು ನಾನು ಹೇಳುತ್ತೇನೆ ಅದು ಈ ರೀತಿ ಇದೆ.

"Generally speaking, the subject-matter of an adjournment motion must have direct or indirect relation to the conduct or default on the part of the Government of India (here Government of Karnataka may be added) and must be in the nature of criticism of the action or for having omitted to do some action which was urgently necessary at the moment."

ಈ ವಿಷಯವನ್ನು ಗಮನದಲ್ಲಿ ಇಟ್ಟುಕೊಂಡಾಗ ಸರ್ಕಾರ ಮಾಡಿರತಕ್ಕ ತಪ್ಪನ್ನು ವಿಮರ್ಶೆ ಮಾಡುವುದಕ್ಕೆ, ಪರಿಶೀಲನೆ ಮಾಡುವುದಕ್ಕೆ ಸಾಕಷ್ಟು ಅವಕಾಶಗಳನ್ನು ಕೊಡಬೇಕು. ಇಂಥಾ ವಿಷಯವನ್ನು ತಾವು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಇದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕು. ಅನೇಕ ಅಸೆಂಬ್ಲಿಗಳಲ್ಲಿ ಅಧ್ಯಕ್ಷರು ರೂಲಿಂಗ್ ಕೊಟ್ಟಿರುವುದನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರುವುದಕ್ಕೆ ನಾನು ಇಷ್ಟಪಡುತ್ತೇನೆ.

"To be in order, an adjournment motion must raise a matter of sufficient public importance to warrant interruption of normal business of the House. No hard and fast rule can be laid down as to what constitutes public importance. The question of public importance is decided on merits in each individual case. It is always a relative question and in a vast country like India the importance of an incident has to be judged in the background of the entire administration of the country."

ಇಂದು ಆಡಳಿತವನ್ನು ನಡೆಸತಕ್ಕ ಸಂದರ್ಭದ ಯಾವ ಅತ್ಯಮೂಲ್ಯವಾದ ಕಾರಣಕ್ಕಾಗಿ ಇಷ್ಟು ವರ್ಷಗಳಿಂದ ಶಾಸನ ಕಡಿತದಲ್ಲಿ ಇದ್ದಂತಹ ಬಂದು ಒಪ್ಪಂದವನ್ನು ಇವೊತ್ತು ತರಾತುರಿಯಿಂದ ಕಿತ್ತು ಬಗೆಯುವುದಕ್ಕೆ ಏನು ಕಾರಣ ? ಇದಕ್ಕೆ ಏನಾದರೂ ರಾಜ್ಯದ ಜನತೆಯ ಮನೋಗತವನ್ನು ಸಂಗ್ರಹಣೆ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆಯೇ ? ಜನತೆಯ ಪ್ರತಿನಿಧಿಗಳಾದ ಶಾಸಕರು ಯಾರಾದರೂ ಕೇಂದ್ರ ಸರ್ಕಾರಕ್ಕೆ ಕೊಟ್ಟಂತಹ ಬಂದು ಅಧಿಕಾರವನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಒತ್ತಾಯ ಮಾಡಿದ್ದಾರೆಯೇ ? ಯಾವ ಆಧಾರದ ಮೇಲೆ ಸರ್ಕಾರದವರು ತಾವು ಕೇಂದ್ರಕ್ಕೆ ಕೊಟ್ಟಂತಹ ಬಂದು ಅಧಿಕಾರವನ್ನು ಹಿಂದಕ್ಕೆ ತೆಗೆದುಕೊಂಡರು ? ಇದಕ್ಕೆ ಕಾರಣ ಏನೋ ಬಂದು ಭಯಾನಕವಾದ ಪರಿಸ್ಥಿತಿ ಹಿನ್ನೆಲೆ ಇರಬೇಕು ಎಂದು ವ್ಯಕ್ತವಾಗುತ್ತದೆ. ಪರಿಸ್ಥಿತಿ ಏನು ಎನ್ನುವುದನ್ನು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಟ್ಟರೆ ಈ ಮಾನ್ಯ ಸಭೆಯ ಸದಸ್ಯರು ಇದನ್ನು ವಿಚಾರಣೆ ಮಾಡಿ ರಾಜ್ಯದ ಜನತೆಯ ಮುಂದೆ ಯಾವ ಕಾರಣಕ್ಕಾಗಿ ಇದನ್ನು ಸರ್ಕಾರ ಹಿಂದಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿದೆ ಎನ್ನುವುದನ್ನು ತೋರಿಸುವಂತಹ ಬಂದು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸುವ ಮೂಲಕ ಅತ್ಯಮೂಲ್ಯವಾದ ಅಡ್ಡರ್ಸ್ ಮೆಂಟ್ ಮೋಷನ್ ಅನ್ನು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಎಲ್ಲಾ ಈ ಸಭೆಯ ಎಲ್ಲಾ ಕಾರ್ಯಕ್ರಮಗಳನ್ನೂ ಮುಂದೂಡಿ ಅವಕಾಶ ಮಾಡಿ ಕೊಡುವುದಕ್ಕೆ ಸಾಕಷ್ಟು ಹಿನ್ನೆಲೆ ತಾತ್ವಿಕವಾಗಿ ಸೈದ್ಧಾಂತಿಕವಾಗಿ ಹಿನ್ನೆಲೆ ಇದೆ. ಅದನ್ನು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಈ ವಿಷಯವನ್ನು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಂಡು ನಾನು ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

†SRI M. C. NANAIYAH (Madikeri):—Sir, the resolution is a very simple one. The resolution is to the effect that the Government has withdrawn consent given way back in the year 1956. In 1956, this Government gave the consent under Section 6 of the Delhi Police Act, and for the last 22 years that provision has been there. Why the Government gave consent at that time, it is not for me to say. When a consent is given by any State Government, the object is with a view to see that inter-state offences relating to inter-state robberies are committed, so that the Delhi Police can come to the State for investigation. The object with which the consent is given is only for administrative convenience. The issue has now been twisted to raise political vengeance. The Government can in the exercise of their right were to say that this consent given in 1956 is going to be misused, then it is a right of the State Government to withdraw the consent. The Delhi Police Act lays down that the Delhi police cannot step into any State, other than the Union territories, without the consent of the State Government. The State Government has given consent in 1956 for certain administrative matters. When the State Government feels that this consent, which has been given, is being used as a key lever to political vengeance, then the State Government has got the right to withdraw the consent.

Item No.80, which has been spoken of by the Leader of the Opposition, has no relevance at all. Schedule I relates to extension of Police force of a State or to another State. As far as the Delhi Police ACT is concerned, it is applicable to Union territories—provision is there to extend this Act to Union territories. Therefore, item 80 has no relevance, has no application, but a provision has been created for the extension of this Act to Union territories. As far as the prerogative right of the State Government is concerned, the matter of public importance under Rule 50 has got to be interpreted in our own way. The Members on the Opposite side have twisted it, with the result the public importance has lost its significance. I feel whether interpretation of Rule 50 regarding matter of public importance would tantamount to substitute the same into that of political importance. Let us not import political aspect into this public importance which is there under Rule 50, and the prerogative of the State Government cannot be taken away. Coming to Schedule II, article on items 1 and 2, item 1 relates to public order and item 2 relates to police force. My learned friend, the hon. the Leader of the Opposition, has pointed out that item 80 under Schedule I under the Central List, relates to Central Bureau of Intelligence and Investigation.

While this organisation is set up purely under a Central Act to make the extension of that Act, item 80 under second schedule has no relevance. Only one Act which extend is only the Union Territory Act of the Delhi Police Establishment which is before me. Now to extend that Act the consent of the State Government is necessary. The Leader of the Opposition has pointed out that it is irrevocable consent. I am yet to think whether the Central Government takes up the matter in consultation with the State Government. This consent is being misused to achieve their political ends. The State Government in its prerogative rights can withdraw the consent. The Police Act does not say it is an irrevocable. The Central Government stands in the form of a licensee. It is my prerogative to withdraw that licence. It does not lay within anybody's mouth to say that it is irrevocable because it is a matter concerning the State and Central relationship. When the State Government in exercise of its Powers has withdrawn the consent, whether it is a matter of public importance to be discussed or whether it is a matter of political importance, it is not absolutely a matter of public importance. The State Government in the exercise of the prerogative right has withdrawn the consent which was given way back in 1956. For the last 22 years this was there. The State Government has withdrawn the consent as it thought that it was being misused to wreak political vengeance.

SRI J. H. PATEL:—Is it of political importance?

SRI M. C. NANAIAH:—What I said was, the relevant phrase in rule 50 is a matter of public importance is being twisted by all of you to read as of political importance. That is the reason in bringing forward this motion and nothing else.

SRI S. R. BOMMAI:—You cannot distinguish between a matter of political importance and the public importance; they go together.

SRI M. C. NANAIAH:—My submission to the Speaker is, whether the State Government has got the right to withdraw the consent, is it a matter of public importance to be discussed on the floor of this House? If the Central Government feels that the State Government has no right to withdraw the consent, then it is a political matter between the State Government and the Central Government. There is another provision *viz.*, where there is a conflict between the State law and the Central Law, there is a method to resolve this tangle. If there are two laws, it gives a right to the State Government to see the State law is made on par with the Central laws. When the laws are made by the Central Government under the Central List, if that is in conflict, then the Central Government gives a direction in the nature of an advice that we have passed the central law for the entire

country, the State law can be suitably enacted. In so many cases the States have modified their laws to be on par with the Central Law. This rule has become a subject-matter of an attack, probably the rule itself can be redundant and I do not want this rule to be there. My submission to you is that this is not a matter which requires so much of debate and my friends also expect that there may be many occasions to make up this issue. Whether it is a political or non-political issue, we will discuss it later on. Let us not take the time of the House. I request the Chair to withhold consent to this motion.

SRI A. LAKSHMISAGAR (Chickpet).—Mr Speaker Sir, the hon'ble Minister for Parliamentary Affairs while intervening in the debate was pleased to say that in order to prevent the erosion of States power by the exercise of the power by the Central Government under the Delhi Special Police Establishment Act, this action was taken. He posed this question if I have understood him properly. He said that the Delhi Special Police Establishment Act takes away some of the powers of the State and therefore the consent ought to be withdrawn now. This Act is an attempt to prevent such an exercise of authority by the Central Government.

SRI K. H. RANGANATH.—That is not a proper inference. While Sri Puttaswamy was making out a case, I said, does the member permit erosion of the rights of the State? That was a simple question put it in a different context. Let not my friend Sri Sagar draw an inference in the manner he wants to put it before the House. It has been made amply clear by Sri Naniah that it is the prerogative of the State under the State List to pass our own laws and in that context the notification has been issued.

SRI LAKSHMISAGAR.—I want to make one point clear. The State Government has acquiesced in the exercise of the power under the Delhi Special Police Establishment Act. That is the Bench Decision of the High Court of Karnataka. It says "the object of the Government in issuing these notifications cannot be explained except on the hypothesis that the Government had already consented to or acquiesced in the exercise of jurisdiction by the Delhi Special Police Establishment Act in the State." They have advanced all possible arguments for and against. The proposition whether or not the provisions of the Act should be applied or should not be applied, the finding of the High Court is that the Government of Karnataka has acquiesced in the exercise of the power under the Delhi Special Police Establishment Act and by virtue of that, a number of cases are pending, a number of cases are being investigated and they are all at different stages of process and that being so, the sudden withdrawal of consent for the application of the Act has come as a bolt from the blue. I should

like to know from the Government what made them at this point of time to withdraw the consent to the exercise of the power under the Act. I submit Sir, the same party and in fact the same members who are now sitting on the Treasury Benches some of them, in the treasury benches were also in the Government then; for the last six years or more, they did not think in terms of exercising their right as they have now done by the notification which they have issued yesterday. It only envisages one conclusion *viz.*, that it has come in the way of certain things that have happened as the result of the findings of the Grover Commission. I do not want to go into the merits or demerits of the findings of the Grover Commission. But coming as it does, we are taken by surprise and what is the notice of the Government in exercising their right in withdrawing their consent; why have they done so now; they could have as well done it five years ago or they could have done it in the month of December or November last, that they have not chosen to do. This is quite evident that they have slept over the matter all these years. If they were so concerned to protect their interest as a State in the matter of the use of police force for the purpose of maintaining law and order in the State and other purposes, they could have exercised the same powers earlier.

1-00 P. M.

Now my argument, further fortifies that the Delhi Special Police Establishment Act will not be applied in any normal way including the matters of law and order. I read with your permission Sec. 3 of the Act.

“The Central Government may by notification in the Official Gazette specify the offences or classes of offences which are to be investigated by the Delhi Special Police Establishment”.

It is not in all cases which the Central Government chooses to use its authority under this Act. It is clearly stated the purpose for which it is intended to be used. If that is so, there is no question of withdrawal of consent. The motive behind this withdrawal of consent is to be looked into I with all emphasis at my command, should like to assert that this has been done with a *malafide* intention of shielding certain persons involved in the case. My learned friends Mr. Puttaswamy and Mr. Kommai have said that it was with intention of shielding certain persons-particularly the Hon. Chief Minister and other Ministers from the consequences that would naturally follow or flow from the findings of the Grover Commission. Apart from this, no other conclusion could be drawn. The timing of the notification and the context under which it comes are sufficient indications to show the intention, of this Government behind this notification.

Then Sir, the Parliamentary Affairs Minister referred to Entry No. 2 (a) in list No. 1 which reads thus ;

“2A—Deployment of any armed force of the Union or any other force subject to the control of the Union or any contingent or unit thereof in any State in aid of the civil powers; powers jurisdiction, privileges and liabilities of the members of such forces while on such deployment”.

There are other powers which are given to the Central Government, which my friends have already referred to. For example—Entry No. 8. They are competent to enact any legislation pursuant to this entry No. 8. The State's powers of use of Police for other purpose of maintenance of law and order and for other purposes are not taken away by the exercise of powers under the Delhi Special Police Establishment Act. It is intended for a specific purpose. May I ask one question Sir ? Suppose a Minister of State Government commits an act which is punishable under the Prevention of Corruption Act, what happens ? Now what is the authority or which the authority which can go into such an allegation or act of corruption against the Minister ? which is the other form and authority which can go into such matters ? So, it is precisely to meet a situation like this. That the Delhi Special Police Establishment Act is there. There may be other instances under which the provisions of Delhi Special Police Establishment Act might have been used. In a concrete situation in which certain Members of the Cabinet have been found guilty of corruption and abuse of official authority, on which action is sought to be taken under the Delhi Special Police Establishment Act. And in this context the decision is taken only yesterday which assumes importance. It is only in this context I submit that it comes precisely within the definition and requirement of Rule 50. It is a definite matter of urgent public importance. It is a definite matter. It is also a matter of urgent public importance.

Sir, hon. Member on the other side, would agree with me, when I say that, we are all committed to clean public life. We may have difference on so many other matters. But on this matter, there cannot be any disagreement. Therefore, where Ministers have been found guilty of corruption and abuse of authority and cases are sought to be filed against them, if consent is withdrawn for their prosecution what is the intention behind this notification ? This is a plain and simple fact, which is a staring in the face of all. We are answerable not only to the House but also to the people who have elected us. Therefore, if there is any guilty person—may be the Chief Minister or any other Minister—they must have the courage, wisdom and foresight to face to the charges of corruption—whether it is investi-

gated by one Agency or the other. They must face the consequences. It is precisely to meet such a situation the Delhi Special Police Establishment Act has been enacted.

Then, another point for consideration is this. Let us not talk loosely about it. My hon. friend Mr. Nanaiah said that the grant of licence granter can withdraw the licence. The concept of licence cannot be invoked into a situation like this. I think he is a student of law and also a lawyer. This is a matter in which we cannot invoke the concept of license. Certainly this is a Constitutional matter and legal matter. Above all, this is a matter which concerns everyone of us, for a clean and un-adultraated public life.

SRI K. H. RANGANATH.—How does he answer to the 'Badal case'?

SRI A. LAXMISAGAR.—We don't support him. For the information of the House I could tell one instance. Our own Member who is the Member of National Executive Committee of our Party is facing the prosecution before a Criminal Court. Mrs Nandini Sathpathi is facing that case. Therefore, we are not shielding anybody. So, I request our Chief Minister to emulate and invite prosecution and get a clean certificate from the Court. The Courts which are created under the law, which are declared independent under the Constitution and which have acquired the time honoured reputation, from which my learned friend, the Hon. Chief Minister must clear himself after facing the prosecution, and come out unscathed.

(Some Members stood up and protested)

ಒಬ್ಬ ಮಹಿಳಾ ಸದಸ್ಯರು.—ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರ ಕೇಸನ್ನು ಹೇಗೆ ವಿಶ್ಲೇಷಿಸಿ
ಮಾಡಿದರು.

ಶ್ರೀ ಮಲ್ಲಿಕಾರ್ಜುನ ಅನಂದರಾವ್.—ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರು ಹಣ ತಿನ್ನುತ್ತಿದ್ದರು, ಅದನ್ನು
ಸ್ವಲ್ಪ ತಿಳಿದುಕೊಳ್ಳಬೇಕು.

SRI S.R. BOMMAI.—Sir I rise on a point of order. The hon. Lady Member said about George Fernandes. He fought against fascism. ಮಾನ್ಯ ಮಹಿಳಾ ಸದಸ್ಯರು ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರ ಬಗ್ಗೆ ಹೇಳಿದರು. ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರು ಸಂಸತ್ ಸದಸ್ಯರಾಗಿದ್ದಾರೆ. ಈ ಮನೆಯಲ್ಲಿ ಅವರ ಹೆಸರನ್ನು ಎತ್ತಿರುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲವೆನ್ನುವ ಮಾತನ್ನು ಹೇಳುತ್ತೇನೆ. ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರ ಕೇಸಿನಲ್ಲಿ ಮಿಸ್ ಯೂಸ್ ಅಫ್ ಅಥಾರಿಟಿ ಆಗಿರಲಿಲ್ಲ.

ಈಗ ನಮ್ಮ ಮುಂದಿರುವ ಪ್ರಶ್ನೆಯೇ ಬೇರೆ. ಯಾರು ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ಸಾರ್ವಕಾಂಕ್ಷಿ ದುರುಪಯೋಗ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ ಅಂತಹವರ ಬಗ್ಗೆ ವಿಚಾರಣೆ ಮಾಡತಕ್ಕಂಥ ಅಧಿಕಾರವನ್ನು ಕೇಂದ್ರದ ಸಿ.ಬಿ.ಐ. ರವರಿಗೆ ಕೊಟ್ಟಿದ್ದರು. ಅದನ್ನು ಹಿಂತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ. ಅದರ ಬಗ್ಗೆ ನಾವು ಈಗ ವಿಚಾರ ಮಾಡುತ್ತಿದ್ದೇವೆ. ಶ್ರೀಮಾನ್ ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್ ಅವರ ವಿಚಾರ ಬೇರೆ. ಅವರು ವಿತರಣಾತ್ಮಕ ಹೋರಾಟ ಮಾಡಿದರು ಎಂಬುದು ಈ ದೇಶದ ಎಲ್ಲ ಜನತೆಗೂ ಗೊತ್ತಿರತಕ್ಕಂಥ ವಿಚಾರ.

(ನಾಲ್ವಾರು ಸದಸ್ಯರು ಒಂದೇ ಸಮಯದಲ್ಲಿ ಎದ್ದು ಮಾತನಾಡಿದರು)

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ನಾವು ಇದರ ಬಗ್ಗೆ ಅಷ್ಟು ಲಘುವಾಗಿ ಮಾತನಾಡುವುದು ಒಳ್ಳೆಯದಲ್ಲ. ಇವತ್ತು ಯಾರೇ ಇರಲಿ.....

ಒಬ್ಬ ಮಾನ್ಯ ಸದಸ್ಯರು.—ನೀವು ಶ್ರೀಮಾನ್ ಜಾರ್ಜ್ ಫರ್ನಾಂಡಿಸ್‌ರವರನ್ನು ಜೈಲಿಗೆ ಹಾಕಿದ್ದೀರಿ. ಜನತೆ ಇವತ್ತಿನ ದಿವಸ ಅವರು ಹೊರಗಡೆ ಸ್ವಾತಂತ್ರ್ಯವಾಗಿ ಹೋರಾಡಲು ಅವಕಾಶ ಕೊಟ್ಟಿದ್ದಾರೆ.

ಶ್ರೀ ಬಿ. ಭಾಸ್ಕರ ಶೆಟ್ಟಿ.—ಈಗಾಗಲೇ ಒಂದೂ ಕಾಲು ಘಂಟೆಯಾಗಿದೆ. ಇದರ ಬಗ್ಗೆ ಇನ್ನೂ ಎಷ್ಟು ಸಮಯದವರೆಗೆ ಚರ್ಚೆಯಾಗಬೇಕು? ಆದ್ದರಿಂದ ಏನಾದರೂ ಮಾಡಿ ತಾವು ಈ ನಿಲುವಳಿ ಸೂಚನೆ ತರುವುದನ್ನು ನಿಲ್ಲಿಸಬೇಕು.

SRI A. LAKSHMI SAGAR.—The last point is relating to the withdrawal of consent. I would like to know from the Government whether the withdrawal of consent is total and blanket order is given. If that is so, two questions would arise. One is: what would happen to the pending cases? The second is if cases involving persons in high places were to arise, which is the agency which has to investigate the cases and prosecute such persons? You must have some agency.

SRI K. H. RANGANATH.—Mr. Charan Singh will have to answer.

SRI A. LAKSHMI SAGAR.—Mr. Charan Singh will do it at the appropriate time and proper place. We are not holding a brief for him, I am not also holding a brief for him; certainly not here. Let us not go into matters which are extraneous to the issue. If you give the impression to the people of the State that there is no law to book, prosecute and punish people in high places, who have committed acts of corruption which amount to a criminal act, what is it we can do sitting as members of the Opposition? What is the remedy that is open to us? This is the question which the Hon. Chief Minister has to answer. Therefore, Sir, let us not stand on technicalities rules and regulations. Though certainly we must conform to rules and regulations, the bigger and more serious question is the question of providing an atmosphere of clean public life and member of this House or any member who is holding a public office, must be answerable before some Forum or the other. What will happen to a situation where a man in authority committed acts of corruption, nepotism and abuse of power, if there is no law to punish him? I have been sitting here. You have only one answer to the question. "People have given a mandate, and therefore, we have the liberty to do whatever we like." To some extent, granted. But there are certain aspects of the matter—aspects of conduct of men in authority, holding high offices. If they were to contravene law, lawfully enacted in this country, what is the law or the forum or the agency which has to investigate such cases and prosecute such people and punish them? This is the biggest question that affects every one of us and therefore, let us address ourselves to this task. Therefore it is a matter of great urgent public importance. Therefore, Sir, I

appeal to you: Let us not stand on mere technicalities. You must go behind or beyond technicalities in a matter like this. This is a matter of profound importance which affects every section of society. Therefore, I appeal to you, Sir, to admit the motion and allow further discussion.

ಶ್ರೀ ಭೀಮಣ್ಣ ಬಂಡ್ರೆ.—ರಾಮನ ಕಾಲದಲ್ಲಿ ಸೀತೆಯ ಮೇಲೆ ಒಂದು ಆಪಾದನೆ ಬಂದಾಗ ರಾಮನು ಸೀತೆಯನ್ನು ಬೆಂಕಿಯಲ್ಲಿ ನಡೆಸಿ ಇದ್ದಂತಹ ಆಪಾದನೆಯಿಂದ ವಿಮುಕ್ತಳನ್ನಾಗಿ ಮಾಡಿದರು. ಅದೇ ರೀತಿ ಇವತ್ತಿನ ದಿವಸ ನಮ್ಮ ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಮೇಲೆ ಏನೊಂದು ಆಪಾದನೆ ಇದೆ. ಅದನ್ನು ಗ್ರೋವರ್ ಆಯೋಗದವರು ಅಂತಿಮ ತೀರ್ಮಾನ ಮಾಡಿ ಕೋರ್ಟಿನ ಮುಂದೆ ತೀರ್ಮಾನ ವಾಗುವುದಕ್ಕೆ ಬದಲಾಗಿ ಕೇಂದ್ರದ ಸಿ.ಬಿ.ಐ. ಅಧಿಕಾರಿಗಳು ವಿಚಾರಣೆ ನಡೆಸುವುದು ಒಳ್ಳೆಯದಿತ್ತು. ಹಾಗಿದ್ದರೂ ಇಂತಹ ಒಂದು ಸಮಯದಲ್ಲಿ ಅದನ್ನು ವಿತ್‌ಡ್ರಾ ಮಾಡಿದ್ದು ಸರಿಯಲ್ಲ.

ಮಾನ್ಯ ನಾನಯ್ಯನವರು ಗಂಡ ಹೆಂಡತಿ ಲಗ್ನ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಧಿಕಾರ ಇದೆ ಎಂದು ಹೇಳಿದರು. ಆದರೆ ಇವತ್ತು ಇದನ್ನು ವಿತ್‌ಡ್ರಾ ಮಾಡುವುದಕ್ಕೆ ಕೇಂದ್ರ ಸರ್ಕಾರದ ಅನುಮತಿ ಬೇಕೆಂದು ಹೇಳಬಯಸುತ್ತೇನೆ. They cannot withdraw without discussion and permission of the Central Government. I am prepared to show the rulings in this regard. I therefore request the Hon. Speaker to give consent to move the adjourned motion. ಅವರು ಈ ಪ್ರಕಾರ ಮಾಡುವುದು ಸರಿಯಲ್ಲ; ಇದು ಕರ್ನಾಟಕದ ಇತಿಹಾಸಕ್ಕೆ ಒಂದು ದೊಡ್ಡ ಕಳಂಕ. ಇವತ್ತು ನಿಮ್ಮ ಮೇಲೆ ಆಪಾದನೆ ಇರುವುದರಿಂದ ಕೋರ್ಟಿಗೆ ಹೋಗಲೇಬೇಕು, ನಾಳೆ ನನ್ನ ಮೇಲೆ ಆಪಾದನೆ ಬಂದರೆ ನಾನೂ ಕೂಡ ಕೋರ್ಟಿಗೆ ಹೋಗಲೇಬೇಕು. ಯಾರೇ ಆಗಲಿ ನ್ಯಾಯಕ್ಕೆ ಬೆಲೆ ಕೊಡಲೇಬೇಕು. ಆದ್ದರಿಂದ ಈಗ ನಿಮ್ಮ ಮೇಲೆ ಆಪಾದನೆ ಬಂದಿರುವುದರಿಂದ ನೀವು ನಿಮ್ಮ ಮಾತಿನ ಪ್ರಕಾರ ಮಾಡಿದರೆ ಅದು ಕರ್ನಾಟಕ ರಾಜ್ಯಕ್ಕೆ ಕಳಂಕವಾಗುತ್ತದೆ. ಆದಕಾರಣ ನೀವು ವಿತ್‌ಡ್ರಾ ಮಾಡುವುದು ಸರಿಯಲ್ಲ.

SRI D. DEVARAJ URS.—I would like to read the notice given under Rule 50 & 51 of the Rules of Procedure by my friends once again. It reads thus :—

“...The recent decision of the Karnataka State Government to withdraw their consent given some years back under Section 6 of the Delhi Police Establishment Act of 1946 to investigate and prosecute Sri D. Devaraj Urs and Sri H. C. Srikantiah who were holding public office as Chief Minister and Minister of State respectively, with the object of shielding them from the penal consequences of corruption, nepotism, favouritism and abuse of authority and further to shield other persons who were then holding public offices along with persons named above against whom enquiry is pending before the Grover Commission.”.....

SRI S. R. BOMMAI.—One sentence is lost. There is a mistake in typing.

SRI D. DEVARAJ URS.—I cannot help it now,

SRI S. R. BOMMAI.—Some times mistakes happen.

SRI D. DEVARAJ URS.—Some times is not the question now. After-thought, he may amend it. As it is I am reading. It is before me now. I have not done anything to it. Sir, two matters are involved in this (i) Withdrawing the consent given under Section 6 of the Delhi Police Establishment Act of 1946 to investigate and prosecute Sri D. Devaraj Urs & Sri H.C. Srikantaiah and (ii) to shield other persons who were then holding public offices against whom enquiry is pending before the Grover Commission. Sir, here, one subject-matter relates to the thing that has taken place and another subject-matter relates to some other thing. They are now trying to encompass the entire gamut of Grover Commission and its inquiry. He agrees luckily. What is that we know regarding other inquiries and other findings of the Grover Commission. As far as I know and the public knows unless I am told it is not so, the Grover Commission has given an interim report and that interim report consists of some charges particularly against me as Chief Minister then which had been dealt with and that interim report has gone to the Government of India and it has come here and certain action is being taken on that. That is one aspect. But on that, they think that I have been prosecuted or prosecution is ordered and I am trying to withdraw the case. That is the unsound idiomatic English of Sri Lakshmi Sagar. That is the entire burden of your song as well as other members of your party including the Opposition Leader.

SRI A. LAKSHMI SAGAR.—Everybody.

SRI D. DEVARAJ URS.—Not everybody. You in particular and he. I crave your indulgence. I know you are all lawyers including the Leader of the Opposition. Sri Puttaswamy, Sri Lakshmi Sagar and Mr. Gangadhar are all lawyers. I was once a client to a lawyer but I am not a lawyer.

SRI A. LAKSHMI SAGAR.—Perhaps you want to continue to be a client.

SRI D. DEVARAJ URS.—If such lawyers are there, I don't know how many clients will have to suffer.

SRI A. LAKSHMI SAGAR.—That depends upon the clients.

SRI D. DEVARAJ URS.—It says "along with persons named above against whom enquiry is pending before the Grover Commission." This is such a vague matter and it cannot form a subject-matter for an adjournment motion. Who are those? What is it? Is there any report already? In anticipation of what is likely to come out of Grover Commission, a motion is brought like this. Is it

admissible? Again and again we have to read, unfortunately for the edification of some of our hon'ble Members, the motion that they have brought, because they have not properly understood. ...

SRI K. PUTTASWAMY.—The adjournment motion is relating to the acts of the Government in withdrawing the consent.....

SRI D. DEVARAJ URS.—Of all the persons who pleaded in favour of admitting this adjournment motion, I must say one thing, Mr. Puttaswamy, the hon'ble Member from Mysore, who is more rational than the rest. I was very closely following his speech. Therefore, I still feel if Sri Puttaswamy who has a great talent as a Lawyer reads that sentence carefully, he will agree with me. There are two matters here, not one

ಶ್ರೀ ಭೀಮಣ್ಣ ಖಂಡ್ರೆ.—ನಾವು ಹೇಳಿರುವುದು ಸರಿಯಾಗಿದೆ.

SRI D. DEVARAJ URS.—Anyway you are also a party in signing it. You cannot see beyond what you have already seen through your coloured eyes. This is not a definite matter. It cannot be two matters. There are two matters here. Here it has been mentioned as "a matter" Therefore, it should be a definite matter of public importance and it should be urgent. Now, I submit that there is not one matter. There are two matters—may be one is definite and the other is also definite but the rule says it should be a matter only and it cannot be two. Now there are two matters here.

Now, it was very ably argued by Sri Puttaswamy and others that it is a public importance, it is a recent occurrence and it is a definite situation. Nobody refuses that it is not of a recent occurrence. It is a recent occurrence and let me also concede that it is a matter of public importance. I am not trying to find fault with that argument. But, for the admission of any adjournment motion, three ingredients are required. I hope the Leader of the Opposition will also agree.

1-30 P. M.

SRI A. LAKSHMI SAGAR.—There are three ingredients.

SRI D. DEVARAJ URS.—Sir, for admission of an adjournment motion all the three ingredients must be satisfied. There are rulings on this. Now, it may be a matter of public importance; it may be of a recent occurrence. But, whether it is urgent or not is the question on which the whole thing stands. If it is conceded that it is urgent, then, it is to be admitted, if it is conceded that it is not urgent, then the adjournment motion cannot be admitted. This is my submission. Now, whether it is urgent or not, I would like to

deal in so far as that point is concerned. Sir, I would like to read the following. This is from Practice and Procedure of Parliament by M. N. Kaul and S. L. Shakhdar. At page 431 it reads thus :

“A matter even of very recent occurrence is not ‘urgent’ if an opportunity for its discussion will arise in the ordinary course of business within a reasonably short time”.

Now, the first point is whether there is an opportunity for a discussion on this subject today or not is the question. Luckily today the debate on Governor's motion is taking place. It is on the agenda. ಇವತ್ತು ಇನ್ನೂ ಮಾತನಾಡುವವರಿದ್ದಾರೆ. ನಿಜ ಇನ್ನೂ ಮಾತನಾಡುವವರಿದ್ದಾರೆ. ಆಮೇಲೆ ಈ ಕಡೆಯಿಂದಲೂ ಮಾತನಾಡಿದಮೇಲೆ ನಂತರ ರಿಜೆಕ್ಷನ್ ಕೊಡುವುದು ಎಂದು ನನ್ನೆಯೇ ಡಿಸ್‌ಕಸ್ ಮಾಡಿದ್ದಾಗಿದೆ. I think everybody will agree including the Leader of the Opposition and other friends that all the matters they have spoken or brought to the notice of this House could have been discussed while discussing the motion of thanks. The opportunity was still there. Now, it has been held,

“that an adjournment motion on a matter which can be raised during debate on the motion of thanks on the President's Address, budget discussion, motion on international situation, motion regarding a matter of public importance such as food policy, etc., to be held in the same session is not in order.”

Therefore, Sir, if they say that it is a matter of urgency, certainly urgency is not there. This has again been specifically mentioned that it should be in the ordinary course of business within a reasonable time. There is already an opportunity to speak on the subject when they are discussing the Governor's Address. But still they want to bring in the form of an adjournment motion. In my opinion, it cannot be admitted. Because, although there appears to be more ingredients required for admission, the main ingredient is urgency. Certainly, it is not there.

Now, Sir, coming to the motion itself, now they say that I have been trying to dodge, trying to escape, and I have been trying to shun the moral or legal or whatever the responsibility because that charges against me is under the corruption, nepotism so on and so forth and that is how the motion seeks to make out and that is how the Hon'ble Members also spoke. I must thank all the members including Mr. Bhimanna Khandre who was quoted Ramayana. Luckily, he quoted Ramayana and he did not quote Basaveswara. He said that one must be like Sita and so on and so forth. Sir, Sita want to remain under Rama. If Sita were to be under Ravana how could the Sita be entrusted to such a people. This is exactly

my point. Do you want to rape Sita ? Sir, I thank them for giving me so much of moral support so that I should get more and more courage to face all the charges. But you are not the persons to question all those things. Sir, they talk to morality and said that political morality should be there. It may be a question of cordiality. But I cannot come in the way of anticipating the question. Apart from the moral aspect they are very much worried with my own interest. And said that I am trying to escape from the prosecution that may be taken place and the consent that has been given was withdrawn. Sir, that is why I wish before mentioning of such attacks or remarks I only request them to go through the notification with little patience and find out its implication before talking these things though sometimes I should say they are uncharitable remarks. We have to understand the implication of this notification. I can here and now assure you that this notification is very self evident and it does not refer at all to the order passed by the Governor when State was under the Presidents Rule. *ie.*, on the 23rd of February just two days before to the election. This notification does not refer to the order or the consent given by the Governor. I have never touched it ; nor am I interested in it. Let the prosecution go on according to the provisions of the Act and I am prepared to face it. Luckily the prosecution is not going to be done by the Central Government or by other police officers. I have faith in the judiciary. It is going before the court. I shall take my chance before the judiciary.

SRI K. PUTTASWAMY.—Can the Delhi police go on with further investigation ?

SRI D. DEVARAJ URS.—I do not know.

SRI K. PUTTASWAMY.—In this particular case, according to that notification they will not have the right to go on with the case further.

SRI D. DEVARAJ URS.—I shall clarify the doubt raised by the hon'ble Member. This notification refers to the Government consent given in the year 1956 and 1957. So far as I am concerned, whatever prosecution has been ordered, it is not under notification at all. It is a special consent given. I repeat that it is a special consent given. It is a great honour done to me on the 23rd February by the then Governor who was also responsible for administering the State. He has given a special consent to the Delhi Police to come and take up this prosecution. That has nothing to do with what has been done under this notification.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ—ಸ್ವಾಮಿ, ತಾವು ಅದರ ಬಗ್ಗೆ ಚೆನ್ನಾಗಿ ಅಧ್ಯಯನ ಮಾಡಿರಬಹುದು. ಇದು ಕನ್ಸೆಂಟ್ ಕೊಡಬೇಕಾದರೆ ಡೆಲ್ಲಿ ಪೊಲೀಸ್ ಆಫೀಸ್ ಪ್ರಕಾರವೇ ಕೊಡಬೇಕು. ಸೆಕ್ಷನ್ 6ರ ಪ್ರಕಾರ ಯಾವರಿಗೆ ವಿಶೇಷ ಮಾದಿಕೊಳ್ಳುತ್ತಿರಾ ?

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.— ಅವರು ಜನರಲ್ ಕನ್‌ಸೆಂಟ್ ಕೊಟ್ಟಿರತಕ್ಕದ್ದು, ಜನರಲ್ ಕನ್‌ಸೆಂಟ್ ಮೇಲೆ ಆ್ಯಕ್ಟ್ ಮಾಡಲಿಕ್ಕೆ ಕೇಂದ್ರ ಸರ್ಕಾರ.....

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.— ನಾರ್ಮಲ್ ಮಾಡುವುದಿಲ್ಲ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.— ಅವರು ಮಾಡಿಲ್ಲ, ಬೇರೆ ಸಂದರ್ಭದಲ್ಲಿ ಮಾಡಿದ್ದಾಗಿದೆ. ಇದಕ್ಕೆ ಸ್ಟೆಪಲ್ ಆಗಿ ಕೇಳಿದ್ದಾರೆ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.— ನಾನು ಹೇಳುವುದು, ಈ ಕನ್‌ಸೆಂಟ್ ಇದ್ದಾಗಲೂ ಕೂಡ ಸ್ಟೆಪಲ್ ಗೌರವಂಟ್‌ಗೆ ಕೇಳಿ ಮಾಡಿದ್ದಾರೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.— ತಾವು ತಿಳಿದುಕೊಂಡಿರುವುದು ಸರಿಯಲ್ಲ. ಇದಕ್ಕಾಗಿಯೇ ಸ್ಟೆಪಲ್ ಆಗಿ ಕೇಳಿ, ಸ್ಟೆಪಲ್ ಆಗಿ ತರಿಸಿಕೊಂಡಿದ್ದಾರೆ. ನನ್ನನ್ನು ಪ್ರಾಸಿಕ್ಯೂಟ್ ಮಾಡಲಿಕ್ಕೆ ಸ್ಟೆಪಲ್ ಆಗಿ ಕೇಳಿದ್ದಾರೆ. ಸ್ಟೆಪಲ್ ಆಗಿ ಕನ್‌ಸೆಂಟ್ ಕೊಟ್ಟಿದ್ದು ಆಗಿದೆ.

ಶ್ರೀ ಜಿ. ಹೆಚ್. ಪಟೇಲ್.— ತಾವು ಏನು ಮಾಡಿದರು ಸ್ಟೆಪಲ್ ಆಗಿಯೇ ಮಾಡುವುದು.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.— ನಾನು ಮಾಡಿದ್ದು ಅಲ್ಲ, ನಿಮ್ಮವರೇ ಮಾಡಿದ್ದು. ಆಗ ನಾನು ಇರಲಿಲ್ಲ, ಗೌರ್ಮ್ ಸ್ಟೆಪಲ್ ಕನ್‌ಸೆಂಟ್ ಇದಕ್ಕೆ ಕೊಟ್ಟಿದ್ದಾರೆ ಎಂದು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಇದಕ್ಕಾಗಿಯೇ ಪುನಃ ಕಾಗದ ಬರೆದಿದ್ದಾರೆ... They are all on record. I cannot speak on anything which is not true to facts or which is not on record. I am not personally interested in escaping from this prosecution. But since my conscience is clear I can face even God, not only men. The only thing I want to say is that now that it has happened, it is going on; let it go on. But hereafter I cannot allow the Prosecutor and the Judge to be one and the same person. Immediately after the 1977 elections there were charges framed against the previous Government when I was the Chief Minister against several Ministers. Those charges were there before the Central Government for more than two years and in the final analysis after going into every charge the Central Government.....

SRI A. LAKSHMISAGAR.— It is not as if the entire process was set in motion only after the 1977 Parliament elections. In a sense it is so but you were also instrumental in setting up an enquiry commission. Suppose that commission itself had continued and found upon guilty of corruption what would have been your conduct and why do you find fault with the action taken by the Central Government?

SRI D. DEVARAJ URS.— What the hon. Member is talking I do not understand. The State Government has a right to appoint any commission. It can appoint one tomorrow also.

SRI A. LAKSHMISAGAR.— I never said you have no right.

SRI D. DEVARAJ URS.— This is not a matter of argument between us. He has had his say; let me have my say. Being in the Opposition I certainly do not expect him to agree with me.

SRI MICHAEL FERNANDES.—The Chief Minister said that the Central Government set up a commission which is both the prosecutor and the judge. Was not the Commission appointed by him in the nature of a prosecutor, judge plus the accused?

SRI D. DEVARAJ URS.—I shall clarify it. I never said anything about the Grover Commission. My point was that this question was purposely taken away from the purview of the State Government to the Central C.B.I. This Delhi Police Establishment Act has been there since 1886. It was made applicable only to Union Territories. Section 6 was added with a view to enable them to launch prosecution in places other than the Union Territories. Fortunately or unfortunately the spirit of this amendment is totally different from the use to which it is being put now. Now they are asking who is to take action against all those who commit offences like corruption, nepotism and so on and so forth. If a Chief Minister or Minister indulges in it, or if the Prime Minister is corrupt, who is to take action?

SRI S. R. BOMMAJ.— The Lok Pal will take of them.

SRI D. DEVARAJ URS.—I could have understood if you had told the members of your party not to talk of Lok Pal which is already before the Parliament and it will take care of every Minister or Chief Minister or Prime Minister, I could have understood. In the absence of it what you are doing is important. Who is to question that the Chief Minister is wrong? Are you the person to question? Is the Central Government authorised to question? Is the Prime Minister authorised? Surely, not. The Assembly is there to take care of that. Over and above this, I am one of those who very readily agreed to Lok Pal. For various historic reasons it is still lying. I would be the first man to welcome the measure. It should be made applicable from Prime Minister downwards. Then it will be an universal law. It should be applicable to one and all.

SRI A. LAKSHMISAGAR.— At one time over the definition of the persons to be included in the Lok Pal Bill, an objection was taken by your party and that was that the Prime Minister shall not be the person who could be brought under the Bill.

SRI D. DEVARAJ URS.—Even now your Prime Minister will not agree, perhaps. I am a party and I do not feel shy about it.

SRI A. LAKSHMISAGAR.—I have been listening to you. What is your answer to the findings of the Commission which has *bona fides* found some guilty? Why don't you face the situation?

SRI D. DEVARAJ URS.—It may not be fair on the part of the honourable member to speak when I have not yielded.

MR. SPEAKER.—The hon'ble Minister is yielding and that is why he talking. If he does not yield I will not permit him.

SRI D. DEVARAJ URS.—I say let everybody be brought under the purview of the Lok Pal or Lok Ayukt; I welcome it. Till then why this? After 1977 the charges had been looked into. That had been answered on the floor of the Parliament. Again immediately after 1977 Parliamentary election the Central Government took up these very charges had been looked into by the previous Government. Now I ask them what is the morality in this? I would like to ask my friends on the opposite side, is there any morality involved? When once these charges were looked into and answered in a particular manner, the very charges are taken up once again to be enquired into. What is the morality or political morality? What is the standard? Supposing tomorrow there is one commission or enquiry and it looks into the charges and says 'yes' or 'no', and somebody comes as Prime Minister or Chief Minister and he wants to again look into them, is that the standard you want? to lay down in this country? Definitely not and I hope all of you will accept it.

HON'BLE MEMBERS.—We are prepared to face the consequences.

SRI D. DEVARAJ URS.—I have listened to the members patiently. I would beg of them to have the same patience.

SRI S. R. BOMMAI.—One correction. Against those charges there was no enquiry held by any commission.

SRI D. DEVARAJ URS.—You have appointed any number of commissions. You have become experts in appointing commissions numbering about 200.

SRI S. R. BOMMAI.—You have become experts in committing offences.

SRI D. DEVARAJ URS.—Let us not dilate on that.

I find one thing here. When they are talking they want us to listen. You know I sit quiet and now if I speak should they not have the same consideration.

The hon'ble Leader of the Opposition wants to know whether it was enquired by any commission. Many a time such charges are looked into by the Central Government. Every time no commission need be appointed. There are several such instances in the past. The Government looked into them. Any way they thought that the Government which looked into was in my favour and perhaps they wanted to have a different attitude. Having appointed a Commission to enquire the very same charges which have been proved

to have no substance, what does it really mean? I have not kept it secret. I have written to the the Central Government and the letter was in the press. The whole world knows what letter I have written and on what basis I have written it. That is the point which has to be taken into consideration. You have to appreciate the Notification that has been issued yesterday.

Here with this politically motivated background everything is going on so far as our State is concerned and so far as the Chief Minister is concerned. With this background special consent was given. Here I want to pose one question. On the 23rd February the special consent is given; on the 25th February elections are to take place; on the 26th results are to be announced and on the 27th new Government has to come. May be whether the Government was that of Congress Party or Janata Party. We did not know at that time. On the 26th February everything would have been known. The Governor who was holding office under the President's Rule for nearly 1½ months passed such a far reaching order. I want to pose this question. Here it looks there is a habit on their part. The dismissal of the ministry takes place just two days prior to holding of Assembly sessions because my friends on the opposite and those who have lost their deposits who happened to be one along with them went in a procession and wanted this ministry to be dismissed just 48 hours before the meeting of the Assembly.

SRI S. R. BOMMAI.—On a point of order. We are discussing the adjournment motion. If the Chief Minister wants to discuss about the dismissal of the ministry and all that we can also speak.

(Interruptions)

SRI S. R. BOMMAI.—I cannot be cowed down by shouting. The question of dismissal of the ministry can be discussed and we are prepared to answer it and let them also state. Now the adjournment motion is regarding withdrawal of the authority under section 6. I want to know the relevancy of dismissal of the ministry etc., at the stage of admissibility of the adjournment motion. Of course the Chief Minister referred to the order passed. It is relevant and he can elaborate on that. But so far as dismissal of the ministry parading of M. L. As I do not think they are relevant. We know how many were purchased. We know all that.

HON'BLE MEMBERS.—We object that.

SRI S. R. BOMMAI.—You may object. We are ready to prove.

(Interruptions)

SRI S. R. BOMMAI.—Sir, my point of order is only this: let us discuss on the question of admissibility only.

2-00 P.M.

SRI D. DEVARAJ URS.— Sir, I am sure there is no Point of Order. When he wants to go behind the motivation of this Notification and questions the *bona fides* of the Government, I am sorry, I cannot but help saying that he has himself invited the trouble. I have to answer all his points, and it is relevant. I have submitted my answers and it is for the chair to rule out if they are not proper. This is the background with which things have taken place. The consent was given on 22nd, but not on 23rd as I said earlier. It is the Governor's request. The Governor thought it proper to refer it to the C. B. I., because the person involved here was the Chief Minister. This is exactly my point— I agree that nobody knew which Government would come, unless of course. Our friends opposite knew they were coming, because they used to say it in the open. The dismissal of the Government took place just two days before the meeting of the Assembly. The Governor sent the case to the C. B. I. even before the results of elections were announced. I want to ask my friends opposite as to what are the motivations? The consent given in 1956 was more or less a blanket consent. In the High Court it was once challenged and the Government defended by saying the question of technicalities and so many other things. That is the case which hon. members has referred to, and the Government at the time had to say that we have given consent. Whether the consent given was legally tenable or not, I cannot discuss now. Anyway it was accepted by the then High Court. I said that a blanket consent was given. If that blanket consent was given, I do not know why it was necessary for the Governor to ask them again to take up and go to the Central Government and write to them to say that it should be taken up.

Now, why we take away this consent? It is precisely because fear with this blanket consent there may be a situation where the Police, the C.B.I. will be asked to look into issues which are not relevant or which do not come under the jurisdiction of the C.B.I. The C. B. I. is after all a part of the Central Government. If they think that the State Police cannot take up the issues of such nature, and if they are referred it may be difficult for them to become impartial and Independent, I can also say the same thing to them. When the Central Government is going to do it with political motives, it might be possible for the C. B. I. to get influenced. Different parties are now ruling in the centre, and I am afraid, the consent given is likely to be improperly used. Therefore, we have withdrawn the blanket consent given. Of course, there are cases pending. If there are any such cases pending, where this withdrawal is going to cause hardship they will give it back to us, and that is not going to be a difficulty

here. We had to withdraw the consent given in general because the political atmosphere is such that I am sorry to say, I am not able to see completely eye to eye, so far as political matters are concerned, with the Central Government. The way things have been handled make us feel suspicious. So far as case against me is concerned. I have not meddled with it. Let the C.B.I. go into it and the course of action will take place according to law. In Tamil Nadu there was the Sarkaria Commission Report. The Central Government did not take it up. It had been referred to the State Government. In many instances, it is the State Government to which the findings have been referred to. I do not know why in my case had to be taken to the Centre, to the C.B.I., even before knowing what Government would come here.

Sir, another point that was made is that we have no right to give consent. On this point, I would like to read Section 21 of the Mysore General Clauses Act, 1899, It says:—

“21. POWER TO MAKE TO INCLUDE POWER TO ADD TO AMEND, VARY OR RESCIND NOTIFICATIONS, ORDERS RULES OR BYE-LAWS.—Where by any enactment, a power to issue notifications, orders, rules or bye-laws is conferred, then that power includes a power, exercisable in the like manner and subject to like sanction and conditions (if any), to add to, amend, vary or rescind any notifications, orders, rules or bye-laws so issued.”

This is the General Clauses Act under which the authority which has the power to give consent to do a thing has also the power to withdraw that consent. I think the Hon'ble Leader of the Opposition also agrees with that point of view.

Section 6 of the Delhi Special Police Establishment Act, 1946 is very clear here. It reads thus:

“6. Nothing contained in section 5 shall be deemed to enable any member of the Delhi Special Police Establishment to exercise powers and jurisdiction in any area in a State, not being a Union Territory or railway area, without the consent of the Government of that State.”

So, Sir, the jurisdiction of the Police is confined to investigation of certain matters only if a consent is given by the concerned State Government. Now that consent which was given once, as I said in the General Clauses Act, the State has the same authority to withdraw The circumstances under which we have to withdraw this general blanket is also I have spoken.

Now I have to answer certain political morality. So far as political morality is concerned, I think the Janatha Party Government and the leaders will have to learn more political morality than anybody else.

ಶ್ರೀ ಮಗಳೂರು ಆನಂದರಾವ್.—ನಿಮ್ಮಿಂದ ಪೊಲೀಸರ್ ಮೊರಾಲಿಟಿ ಕಲಿಯಬೇಕಾಗಲ್ಲ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್.—ನಿಮ್ಮ ಗುರುಗಳಿಂದಲೇ ಕಲಿಯಿರಿ.

SRI A. LAKSHMI SAGAR.—It does not lie within the mouth of the Chief Minister who has been found guilty of corruption charges by the Grover Commission, to speak of morality.

SRI D. DEVARAJ URS.—The hon. member is a lawyer, he knows better that unless a court of law holds me guilty, I am not guilty. As a lawyer he should understand such simple things.

SRI A. LAKSHMI SAGAR.—The Commission has found him guilty of corruption charges *prima facie*.

(There was furore in the House and nothing was audible)

MR. SPEAKER.—The hon. member cannot speak unless I call him

ಶ್ರೀ ಜಿ. ಎಚ್. ಪಾಟೀಲ್.—ಪೊಲೀಸರ್ ಆಗಿ ಉತ್ತರ ಹೇಳುತ್ತಾ, ಸುಮ್ಮನೇ ಮೊರಾಲಿಟಿ ಬಗ್ಗೆ ಹೇಳುತ್ತಿದ್ದೀರಾ?

SRI D. DEVARAJ URS.—I want to say one famous proverb. The murder will be out one day and truth will be out one day. Who is wrong and who is right will come out one day.

(There was confusion in the House)

I would like to read out in this connection the relevant portion of the Janatha Party Manifesto during the recent elections. This is very relevant to the present case.

“From 1972 onwards and more particularly during the emergency the people of Karnataka went through a harrowing experience of shameless corruption and nepotism and open dictatorship in every branch of administration. Sri Urs in fact went one better than Smt. Gandhi in employing every sinister technique for holding on to power. Emergency measures were implemented ruthlessly. What is shocking is that even today Sri Devaraj Urs, like Smt. Gandhi defends and justifies the emergency. Equally shamelessly Sri Urs and Smt. Gandhi have even wrecked their own party to recapture power.

(There was pandemonium in the House)

SRI S.R. BOMMAI.—Is it relevant to this motion Sir?

SRI D. DEVARAJ URS. —I have heard you patiently. Please listen to me. I am merely reading what is stated in the manifesto. I will tell you how it is relevant. They are already anticipating what I am going to say, that is why they are jumping up. Please have patience and listen to me. Sir, they say.

“...What is shocking is that even today Sri Devaraj Urs, like Smt. Gandhi defends and justifies the emergency. Equally shamelessly Sri Urs and Smt. Gandhi have even wrecked their own party to recapture power.”

They are pouring tears over the wreck of our party.

‘During the emergency in our State, thousands of patriotic people were jailed. Hundreds were tortured.’

(There was again confusion in the House)

SRI MALLUR ANAND RAO.—Why are the friends on the opposite side raising their voice?

SRI S.R. BOMMAL.—I rise a point of order. I have sought your permission to give consent for my adjournment motion. The question of manifesto does not arise now. He is talking of morality, question of democracy. Whether he is justified in speaking all these things.

(There was loud protest from different sections of the House and nothing was audible)

(Some Members were shouting at this stage)

MR. SPEAKER.—Please resume your seat. ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳನ್ನು ಅನೇಕ ಜನ ಅಧಿಕಾರಿಗಳು ನೋಡುತ್ತಿದ್ದಾರೆ, ಪ್ರಸನ್ನವರು ನೋಡುತ್ತಿದ್ದಾರೆ ಜನ ನೋಡುತ್ತಿದ್ದಾರೆ. Such of those who are roaring and making noise are not bringing any credit to the House. The House will be in a disorderly way. You should bow down your heads for having behaved in such a manner. You have to conduct yourself properly and respect rules and regulations.

SRI D. DEVARAJ URS.—Sir, I am quoting one more sentence and close. They further said like this: “Imitating Smt. Gandhi and her ignoble caucus. Sri Urs built his caucus around himself with son-in-law Sri Nataraj and brother Sri Kemparaj Urs as the arch villains in it. And yet he claims that he is the man of Karnataka’s destiny.”

Now I am coming to the political morality aspect based on the manifesto of Janatha Party which is now trying to teach me the morality. With this manifesto they have gone to the extent placing before the public that I have been the causus with son-in-law and my brother and so on and so forth, and that I have done somuch

damage to the State and I am resorted to ignoble cause of corruption etc., This was the manifesto for which nearly 27 Ministers came from the Centre and 2,000 and odd meetings were held. In every meeting their leaders were talking about this.

(Several Members stood up)

SRI MALLUR ANANDA RAO.—On a point of order. ಇಲ್ಲಿರತಕ್ಕ ನಿಲುವಳಿ ಸೂಚನೆ ಯಾವುದು? ಕೇಂದ್ರದ ನಾಯಕರು ಬರುವುದು, ನಮ್ಮ ಮ್ಯಾನಿಫೆಸ್ಟೋ ಇದರ ಬಗ್ಗೆ ಹೇಳುತ್ತಿದ್ದಾರೆ. ಚರ್ಚೆಯಾಗುವುದಾದರೆ ಆಗಲಿ.

I welcome the discussion.

ಅಧ್ಯಕ್ಷರು.—ಅನ್‌ಪಾರ್ಲಿಮೆಂಟ್‌ನ ಅಥವಾ ಯಾವುದಾದರೂ ಇನ್‌ಡೀಸಂಟ್ ಮಾತನ್ನು ಹೇಳಿದ್ದರೆ ಅದನ್ನು ಪಾಯಿಂಟ್ ಔಟ್ ಮಾಡಿ. ಹೀಗೆ ಎರಡೂ ಕಡೆ ೧೦-೨೦ ಜನರು ನಿಂತುಕೊಂಡು ಮಾತನಾಡುವುದು ಬೇಡ.

ಶ್ರೀ ಮೆಳ್ಳೂರು ಆನಂದರಾವ್.—ನನಗೆ ರೂಲಿಂಗ್ ಬೇಕಾಗಿದೆ. ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿ ಯವರು ನಮ್ಮ ಮ್ಯಾನಿಫೆಸ್ಟೋ ಬಗ್ಗೆ, ಜನ ಓಟು ಕೊಟ್ಟಿರುವ ಬಗ್ಗೆ ಹೇಳುತ್ತಿದ್ದಾರೆ.

MR. SPEAKER.—I appeal to all the hon. Member to maintain dignity and decorum of the House. Let the proceedings go on. ಈ ರೀತಿ ಮಾತನಾಡಿದರೆ ಕ್ರಮಬರುವುದಿಲ್ಲ, ಸಭೆಗೆ ಗೌರವ ಬರುವುದಿಲ್ಲ. ಸಭೆಯ ಘನತೆ-ಗೌರವಗಳನ್ನು ಕಾಪಾಡಬೇಕು.

ಶ್ರೀ ಮೆಳ್ಳೂರು ಆನಂದರಾವ್.—ನನಗೆ ತಮ್ಮ ರೂಲಿಂಗ್ ಬೇಕು. ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿ ಗಳು ಏನು ಹೇಳುತ್ತಾರೋ ಹೇಳಲಿ ಸಂತೋಷ. ನಮ್ಮ ಮ್ಯಾನಿಫೆಸ್ಟೋ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ತಾವು ಅಪ್ಪಣೆ ಕೊಟ್ಟರೆ ಸಂತೋಷ. we too want time for discussion. Let there be full-fledged discussion. We too want to speak on that.

2-30 P.M.

SRI D. DEVARAJ URS.—Sir, I was about to come to the conclusion. What I wanted to convey through you, to this House, is this. When the Hon. Leader of the Opposition and other have talked of political morality, I have every right to say wherein lies real political morality. Even after making all these allegations and bringing out a manifesto, making publicity and propaganda during the election against me and my Government, still, when we won the elections, where is the political morality in continuing this Commission? Again and again I ask. Lastly, Sir, according to me, there is no political morality to continue this Commission when we have won the elections against all odds. They had the advantage that the Central Government supported them. We had none. We were not in power. All these wild allegations and charges were made in the election manifesto. The people of Karnataka have been good enough to give us two-thirds majority. In spite of this if the Commission continues, I am afraid there is no political morality. Lastly, Sir, when I say this notification does not prevent, in any way, the Central Government or the C.B.I. from carrying on the investigation of this parti-

cular case which has been referred as relating to me, according to the Commission's report, I myself removed the blanket under their feet. So, there is no point in saying that this Motion should be allowed. Thank you, Sir.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ನಾನು ಹೆಚ್ಚು ಸಮಯ ತೆಗೆದುಕೊಳ್ಳುವುದಿಲ್ಲ. ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಎರಡು ವಿಚಾರದಲ್ಲಿ ಒಪ್ಪಿದ್ದಾರೆ. It is a matter of recent occurrence and it is a matter of public importance. ಇದಲ್ಲದೆ ಅವರು ಬಹಳ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಹೇಳಿದ್ದಾರೆ. ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಮೇಲೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇದೆ. ಹಾಗೂ ಜನರಲ್ ಪಾಲಿಸಿಯ ಮೇಲೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇದೆ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಹಾಗೂ ಇದರಲ್ಲಿ ಎರಡು ವಿಷಯಗಳು ಇವೆ ಎಂಬುದಾಗಿ ಹೇಳಿದ್ದಾರೆ. It refers to a particular matter of withdrawal of a notification. It is only one matter. The matter is only notification. It is a matter relating to the notification issued by the Government withdrawing consent. What is the motive? What is the political morality? ನಾವು ಜುನಾವಣೆಯಲ್ಲಿ ಭಾಷಣದ ಮೂಲಕ ಏನೇನು ಮಾತನಾಡಿದ್ದೇವೆಂಬುದಾಗಿ ಹೇಳಿದ್ದಾರೆ. ನಾನು ಪದೇ ಪದೇ ಈ ವಿಚಾರವನ್ನು ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಇವತ್ತು ಯಾರಾದರೂ ಅಪರಾಧ ಮಾಡಿ ಅವರು ಜುನಾವಣೆಯಲ್ಲಿ ಗೆದ್ದ ಮಾತ್ರಕ್ಕೆ ಮಾಡಿದ್ದಂಥಹ ಅಪರಾಧ ಮಾಯವಾಗುತ್ತದೆಯೇ? ಒಬ್ಬ ಸೊಸೈಟಿಯ ಫೇರ್‌ನರ್‌ವರರು ಸೊಸೈಟಿಯ ಹಣವನ್ನು ದುರುಪಯೋಗ ಮಾಡಿದ್ದರು ಎಂಬುದಾಗಿ ಅವರ ಮೇಲೆ ಕೇಸನ್ನು ಹಾಕಲು ಇಂಡಿಯನ್ ಫೀನಲ್ ಕೋಡ್ ಪ್ರಕಾರ ಅವಕಾಶ ಇದೆ. ನಾಳೆದಿವಸ ಗೌರ್ಮೆಂಟ್ ಫೈಂಡಿಂಗ್ ಏನು ಬರುತ್ತದೋ? ನಂತರ ಅದು ಕೋರ್ಟಿಗೆ ಹೋಗಿ ಅಪರಾಧ ಎಂಬುದಾಗಿ ತೀರ್ಮಾನವಾದರೆ ಆ ವ್ಯಕ್ತಿ ಈ ಮನೆಯ ಸದಸ್ಯನಾಗುವುದಕ್ಕೂ ಬರುವುದಿಲ್ಲ. ಅದ್ದರಿಂದ ಇದು ಪ್ರಜೆಗಳು ಒಟು ಕೊಟ್ಟಿದ್ದರ ಮೇಲೆ ನಿರ್ಣಯ ಮಾಡತಕ್ಕಂಥ ವಿಚಾರವಲ್ಲ. ನ್ಯಾಯಬದ್ಧವಾಗಿ ಸಾಕ್ಷಿಭೂತವಾಗಿ ಕೋರ್ಟಿಗಳ ಮೂಲಕ ತೀರ್ಮಾನವಾಗತಕ್ಕಂಥ ವಿಚಾರ. ನಾವು ಜನತಾ ಪಕ್ಷದವರು ಇವರಿಂದ ನೀತಿಯನ್ನು ಕಲಿತುಕೊಳ್ಳಬೇಕು. ಯಾವ ರೀತಿ ಮೀಸಾ ಕಾಯಿದೆಯನ್ನು ತರಬೇಕು, ಮತ್ತು ಸಾರ್ವಧಿಕಾರವನ್ನು ಯಾವ ರೀತಿ ತರಬೇಕು, ಮತ್ತು ಯಾರು ತಪ್ಪಿತಸ್ತರು ಎಂಬುದನ್ನು ವಿಚಾರಿಸದೆ ಬೇಗೆ ಜೈಲಿಗೆ ಹಾಕಬೇಕು ಎಂಬುದನ್ನು ನಾವು ಇವರಿಂದ ಕಲಿತುಕೊಳ್ಳಬೇಕು. ನಮ್ಮದು ತಪ್ಪು ಇದೆ. ಆ ತಪ್ಪು ಏನೆಂದರೆ ಇವತ್ತು ನಾವು ಪ್ರಜಾಪ್ರಭುತ್ವದ ತತ್ವಕ್ಕನುಗುಣವಾಗಿ ನ್ಯಾಯಾಂಗ ಸ್ವಾತಂತ್ರ್ಯ ಕೊಟ್ಟಿದ್ದು ತಪ್ಪು. ಪತ್ರಿಕಾ ಸ್ವಾತಂತ್ರ್ಯ ಕೊಟ್ಟಿದ್ದು ತಪ್ಪು. ನಾಗರಿಕ ಸ್ವಾತಂತ್ರ್ಯ ಕೊಟ್ಟಿದ್ದು ತಪ್ಪು. ನಾವೂ ಇವರ ಹಾಗೆ ಯಾವ ಒಂದು ವಿಚಾರವೂ ಮಾಡದೆ ಬಳಗಡೆ ಹಾಕಿದ್ದರೆ ಸರಿ ಹೋಗುತ್ತಿತ್ತು.

ಅಧ್ಯಕ್ಷರು.—ತಾವು ಆ ರೀತಿ ಮಾತನಾಡಬೇಡಿ. ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಮಾತನಾಡಬೇಕು.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ತಾವು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಮಾತನಾಡುವಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಈ ರೀತಿ ಹೇಳಿದ್ದರೆ ಒಳ್ಳೆಯದು ಇರುತ್ತಿತ್ತು.

(SRI J. H. PATEL) * * *

MR. SPEAKER.—Don't record. ತಾವು ಹಿರಿಯ ಸದಸ್ಯರಾಗಿದ್ದು ಹೀಗೆ ವರ್ತಿಸಿದರೆ ಹೇಗೆ? ನೀವೂ ಮಾತನಾಡ ಬೇಡ ಎಂದು ನಾನು ಹೇಳುವುದಿಲ್ಲ. ಆದರೆ ಒಂದು ವಿಚಾರ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಮಾತನಾಡುವಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಅಂತಹ ಅನ್‌ಪಾರ್ಲಿಮೆಂಟರಿ ಶಬ್ದಗಳನ್ನು ಏನಾದರೂ ಬಳಸಿದ್ದರೆ ಅದನ್ನು ತಾವು ಪಾರಿಲಂಟ್ ಔಟ್ ಮಾಡಿ ಸಭೆಯ ಗವಾನಕ್ಕೆ ತಂದರೆ Certainly I will look into. ಆದರೆ ಎರಡೂ ಕಡೆಯವರು ಈ ರೀತಿ ಉದ್ದೇಶಗೊಂಡು ಮಾತನಾಡುವುದು ಬೇಡ.

* * * Matter not recorded as ordered by the chair.

SRI D. DEVARAJ URS.—I must submit I never got angry. I do not know whether they got angry. When they invite by their own statement, certain matters, I am sorry I have to rebut them.

ಶ್ರೀ ಜಿ. ಎಚ್. ಪಟೇಲ್.—ಇಡೀ ಜಗತ್ತಿನ ಇತಿಹಾಸದಲ್ಲಿ ಯಾವ ಪ್ರಧಾನ ಮಂತ್ರಿಯವರು ತನ್ನ ಸ್ಥಾನದಲ್ಲಿದ್ದಾಗ ಕರಪ್ಪು ಪ್ಯಾಕ್ಷಿಸ್ ಮಾಡಿದ್ದಾರೆಂದು ಎಲ್ಲೂ ತೀರ್ಮಾನ ಮಾಡಿದ್ದಿಲ್ಲ. ಅಂತಹ ಒಬ್ಬ ಪ್ರಧಾನ ಮಂತ್ರಿಯಾಗಿದ್ದಂತಹವರ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ಹೆಸರನ್ನು ಹೇಳಿಕೊಂಡು ಪಾರ್ಟಿ ನಡೆಸತಕ್ಕಂಥದ ಇವರು ಪೊಲೀಸ್ ಮೊರಾಲಿಟಿ ಎಂದು ಹೇಳುತ್ತಾರೆ ?

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಅವರು ಹೇಳುವುದರಲ್ಲಿ ಒಂದೇ ವಿಷಯ ಇದೆ. ಕೇಂದ್ರದಲ್ಲಿರುವ ನಿಮ್ಮ ಸರ್ಕಾರದಲ್ಲಿ ಎಷ್ಟೋ ಜನರ ಮೇಲೆ ಕರಪ್ಪು ಚಾರ್ಜಸ್ ಇರುವಂತಹವರನ್ನು ಮಂತ್ರಿಯಾಗಿ ಇಟ್ಟುಕೊಂಡಿದ್ದೀರಿ ; ಅದನ್ನು ತಾವು ಹೇಳಲಿಲ್ಲವೇ ?

ಶ್ರೀ ಜಿ. ಎಚ್. ಪಟೇಲ್.—ಇದ್ದರೆ ಅಂತಹವರನ್ನು ತೆಗೆಯುತ್ತೇವೆ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇದರಲ್ಲಿ ರಾಜಕೀಯ ಮೊರಾಲಿಟಿ ಏನಿದೆ ಎಂದು ಕೇಳುತ್ತೇನೆ. ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ತಮ್ಮ ಕೇಸಿನ ಬಗ್ಗೆ ವಿಚಾರಣೆ ನಡೆಯಲಿ ಎಂದು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳಿದ್ದಾರೆ. ಏಕೆಂದರೆ ಮುಂದೆ ಬರತಕ್ಕ ಆಪಾದನೆಗಳನ್ನು ತಡೆಯುವ ದೃಷ್ಟಿಯಿಂದ ಈ ರೀತಿ ಹೇಳಿದ್ದಾರೆಂದು ನಾನು ಪದೇ ಪದೇ ತಮ್ಮ ಅವಗಾಹನೆಗೆ ತರಬೇಕಾಗುತ್ತದೆ. ಬ್ಲಾಂಕ್ ಆಗಿ ಕೊಟ್ಟಿರುವ ಕಾನ್ಸೆಂಟ್ ಏನಿದೆ ಅದನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವ ಹಿನ್ನೆಲೆ ಬಗ್ಗೆ, ರಾಜಕೀಯ ನೀತಿಯ ಬಗ್ಗೆ ಹೇಳುವಾಗ ಒಂದು ವಿಚಾರ ಮಾಡಬೇಕು. ತಮ್ಮ ಮೇಲಿರುವ ಆಪಾದನೆಗಳನ್ನು ವಿಚಾರ ಮಾಡುವಾಗ you cannot be a judge of your own crime. ನ್ಯಾಯವಾಗಿ ಇವತ್ತು ನಿಮ್ಮ ಮೇಲೆ ರತ್ನ ಆಪಾದನೆಗಳನ್ನು ವಿಚಾರ ಮಾಡುವುದಕ್ಕೆ ಸಿ.ಬಿ.ಐ. ಅವಕಾಶ ಕೊಡುವುದರಲ್ಲಿ ಏನು ತಪ್ಪಿದೆ ಎಂದು ಕೇಳುತ್ತೇನೆ. ನಾನು ಪೊಲೀಸರ ಬಗ್ಗೆ ಯಾಗಲೀ, ಅಧಿಕಾರಿಗಳ ಬಗ್ಗೆ ಯಾಗಲೀ ಹೇಳುತ್ತಿಲ್ಲ. ರಾಜಕೀಯ ನೀತಿ ಎಂದರೆ ತನ್ನ ಬಗ್ಗೆ ಆಪಾದನೆ ಇದ್ದಾಗ ಅದನ್ನು ತನ್ನ ಅಧಿಕಾರಿಗಳೇ ವಿಚಾರಣೆ ಮಾಡತಕ್ಕದ್ದು.....

SRI D. DEVARAJ URS.—He has stated already. He is repeating....

ಅಧ್ಯಕ್ಷರು.—ನೀವು ಹೇಳಿದ್ದಕ್ಕೆ ಅವರು, ಮಾತನಾಡುವುದು ಅವರು ಹೇಳಿದ್ದಕ್ಕೆ ನೀವು ಉತ್ತರ ಕೊಡುವುದೇ ಇವತ್ತಿನ ಕಾರ್ಯಕ್ರಮವಾಗಿದೆ.

ಶ್ರೀ ಎಸ್.ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಉತ್ತರ ಕೊಡಬೇಕಾಗುತ್ತದೆ. ಅವರು, ಚುನಾವಣೆಯಲ್ಲಿ ಗೆದ್ದ ಕೂಡಲೇ ಗ್ರೋವರ್ ಕಮೀಷನ್ ಹೋಗಬೇಕೆಂದು ಹೇಳಿದರು. ನ್ಯಾಯಾಂಗದಲ್ಲಿ ಅಪರಾಧದ ಬಗ್ಗೆ ವಿಚಾರಣೆಯಾಗಲೇಬೇಕು ಅದು ಚುನಾವಣೆಯಿಂದ ಹೋಗತಕ್ಕದ್ದಲ್ಲ. ಹೀಗೆ ಇವರು ಮುಂದುವರಿಯುವುದಕ್ಕೆ ತಪ್ಪು ಮಾಡಿರುವುದರಿಂದ ಇವರಿಗೆ ನೈತಿಕ ಹಕ್ಕಿಲ್ಲ. ಈ ತಪ್ಪುಗಳು ಈ ಸರ್ಕಾರ ಬಂದಾಗ ಆದ್ದಲ್ಲ. ೧೯೭೪ರಲ್ಲಿಯೇ ಪಬ್ಲಿಕ್ ಆಕೌಂಟ್ಸ್ ಕಮಿಟಿ ಮುನಾನಿಮಸ್ ಆಗಿ ರಿಪೋರ್ಟ್ ಕೊಟ್ಟಿದೆ. ಈ ಬಗ್ಗೆ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಏನು ಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ. ಜನತಾ ಪಕ್ಷ ಅಧಿಕಾರಕ್ಕೆ ಬಂದ ಮೇಲೆ ಇವರು ಈ ಆಪಾದನೆಗಳನ್ನು ಮಾಡಿಲ್ಲ. ಅವರು ಅಧಿಕಾರದಲ್ಲಿದ್ದಾಗಲೇ ಈ ರಿಪೋರ್ಟ್ ಬಂದಿದೆ ಇವರು ಈ ಬಗ್ಗೆ ಯಾವುದೇ ಕ್ರಮವನ್ನು ಕೈಗೊಳ್ಳಲಿಲ್ಲವಾದ್ದರಿಂದ ಈಗ ವಿಚಾರಣೆ ನಡೆಯುತ್ತಿದೆ. ಗ್ರೋವರ್ ಕಮೀಷನ್‌ನ್ನು ತೆಗೆಯುವಂತಿಲ್ಲ; ಅವರು ಏನು ನಿರ್ಣಯ ಕೊಡುತ್ತಾರೋ ಅದಕ್ಕೆ ತಲೆಬಾಗಬೇಕು. ಕೇಂದ್ರದಲ್ಲಿ ಅವರ ಸರ್ಕಾರ ಇದ್ದಾಗ ತಮಿಳುನಾಡಿನ ಮಂತ್ರಿ ಮಂಡಲವನ್ನು ಹೇಗೆ ತೆಗೆದರು ? ಇನ್ನು ಕೇವಲ ೩ ತಿಂಗಳಲ್ಲಿ ಚುನಾವಣೆ ಬರ ತ್ತಿತ್ತಲ್ಲ, ಅವಾಗ ನೀವೇನು ಮಾಡಿದ್ದೀರಿ ? ಕೇರಳದಲ್ಲಿ ಏನು ಮಾಡಿದ್ದೀರಿ ? ಕಮೀಷನ್‌ರ ಆಫ್ ಎನ್‌ಕ್ವೈರಿ ಇದೆ. ಎನ್‌ಕ್ವೈರಿ ಆಗುತ್ತದೆ, ಅವರು ಅದನ್ನು ಎದುರಿಸಲೇ ಬೇಕು. ಆದ್ದರಿಂದ ಈ ನಿಲುವಳಿ ಸೂಚನೆ ಯನ್ನು ಒಪ್ಪಲೇಬೇಕು, ಇಲ್ಲದಿದ್ದರೆ.....

SRI B.B. SAYANAK.—I rise to a point of order. According to rules, we have to close the Session at One of the Clock. But, we have not extended the time-limit. The Hon. Chair is giving a chance to everybody to speak, which is not correct.

MR. SPEAKER.—The House is sitting. What can I do ?

SRI B.B. SAYANAK.—We want to know whether the Chair is going to give the consent or not. So far we have spent nearly four hour on this matter.

MR. SPEAKER.—For the last 3 hours 25 minutes we have been discussing it.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಇವತ್ತು ನೀವು ನಿಶ್ಚಯವಾಗಿ ನ್ಯಾಯವಾದಿಗಳಾಗಿದ್ದರೆ, ನಿರಪರಾಧಿಗಳಾಗಿದ್ದರೆ ಕೂಡಲೇ ನೋಟೀಫಿಕೇಷನ್‌ನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳಿ, ನ್ಯಾಯಾಂಗ ವಿಚಾರಣೆ ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ನಡೆಯುವುದಕ್ಕೆ, ಇನ್‌ವೆಸ್ಟಿಗೇಷನ್ ಆಗುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಿ ಎಂದು ಸರ್ಕಾರವನ್ನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ. ನೋಟೀಫಿಕೇಷನ್‌ನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ನೀವೇನಾದರೂ ಹಿಂದು ಮುಂದು ನೋಡಿದರೆ ತಮ್ಮ ಅಪರಾಧವನ್ನು ಮುಚ್ಚಿ ಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಿರೆಂದು ವಿರೋಧ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಈ ಬಗ್ಗೆ ಸರ್ಕಾರ ಒಪ್ಪಿಗೆ ಕೊಡದಿದ್ದರೆ ಪ್ರತಿಭಟನೆ ಮಾಡಿ ಸಭಾ ತ್ಯಾಗ ಮಾಡಬೇಕಾಗುತ್ತದೆ.

(ಆರ್.ಪಿ.ಐ. ಮತ್ತು ಸಿ.ಪಿ.ಐ. ನ ಸದಸ್ಯರನ್ನುಳಿದು ಮಿಕ್ಕ ವಿರೋಧಪಕ್ಷದ ಮಾನ್ಯ ಸದಸ್ಯ ರೆಲ್ಲರೂ ಸಭಾತ್ಯಾಗ ಮಾಡಿದರು).

MR. SPEAKER.—I have heard the members, the hon'ble Chief Minister and the Hon'ble Parliamentary Affairs Minister. The matter involves legal and constitutional questions which require considerable time. It also involves the question of relationship between State and Centre. I would feel members could discuss this issue through other parliamentary devices. In fact, other parliamentary opportunities are available. I withhold my consent to the adjournment motion.

Motion of Thanks to the Governor's Address (Debate Contd.)

SRI D. DEVARAJ URS.—It is already late. The Chair may put the Motion of thanks to the Governor's Address to the Vote of the House.

MR. SPEAKER.—The question is.

“That we, the Members of the Karnataka Legislative Assembly, assembled in this Session beg leave to thank the Governor for the Address delivered to the Members of the Legislature on the 17th March, 1978”.

The motion was adopted

MR. SPEAKER.—Now the House stands adjourned *sine-die*.

The House adjourned sine-die. at Forty Seven Minutes past One of the Clock.